

IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA & THE STATE OF ANDHRA PRADESH
(Special Original Jurisdiction)

MONDAY, THE TWENTY NINTH DAY OF JUNE
TWO THOUSAND AND FIFTEEN
PRESENT

THE HON'BLE SRI JUSTICE VILAS V. AFZULPURKAR

WRIT PETITION No.19236 of 2015

BETWEEN

Ramvallabh Bhati.

... PETITIONER

AND

The State of Telangana, Rep. by Principal Secretary, Revenue Department,
Secretariat, Hyderabad and others.

...RESPONDENTS

Counsel for the Petitioner: MR. THAKUR SINGH

Counsel for the Respondents: GP FOR REVENUE (TG)

The Court made the following:

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ORDER:

The petitioner seeks registration of a sale dated dated 08.01.2015. This writ petition is filed questioning the market value adopted by the Joint Sub-

Registrar, third respondent, on the basis of G.O.Ms.No.157 Revenue (Registration-I) Department dated 30.03.2013.

2. Learned counsel for the petitioner states that the said G.O. was struck down by this Court in PIL.No.274 of 2013 dated 23.09.2013 and as such, the market value fixed under the said G.O. cannot be adopted.

3. Heard the learned counsel for the petitioner and the learned GovernmentPleader for Revenue.

4. Learned Government Pleader for Revenue submits that the S.L.P. is pending before the Hon'ble Supreme Court against the judgment of this Court in PIL referred to above and as such, the validity of G.O.Ms.No.157 is subjudice. However, since no stay is granted by the Hon'ble Supreme Court, the registering authority is required to adopt the valuation as was existing prior to issuance of G.O.Ms.No.157 dated 30.03.2013.

In view of the above, the writ petition is, therefore, disposed of directing the third respondent to process the petitioner's document for registration by adopting the valuation as existed prior to issuance of G.O.Ms.No.157 dated 30.03.2013. It is made clear that in the event of validity of the said G.O., being upheld, the petitioner will be liable to pay deficit stamp duty and registration fee on the revised market value and to that extent, there shall be a charge on the property covered by document directed to be registered by this order.

As a sequel, the miscellaneous applications, if any, shall stand closed. There shall be no order as to costs.

VILAS V. AFZULPURKAR, J

June 29, 2015
DSK