

**THE HON'BLE SRI JUSTICE VILAS V.AFZULPURKAR**

**W.P.No.37979 OF 2015**

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**ORDER:**

Petitioner's document of sale is stated to be kept pending by the Registrar insisting upon payment of stamp duty as per the revised market value in G.O.Ms.No.157, Revenue (Registration-I) Department, dated 30.03.2013. However, the said issue was already considered by this Court in several writ petitions including W.P.No.19236 of 2015, dated 29.06.2015.

Learned Government Pleader for Revenue submits that S.L.P. is pending before the Hon'ble Supreme Court against the judgment dated 29.03.2013 of this Court in PIL No.274 of 2013 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, disposed of directing the 4<sup>th</sup> 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.

Miscellaneous petitions, if any, pending in the writ petition shall stand closed. There shall be no order as to costs.

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**VILAS V.AFZULPURKAR, J**

01.12.2015

Note: issue c.c. in one week.

b/o

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**THE HON'BLE SRI JUSTICE VILAS V.AFZULPURKAR**

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**DATE: 01.12.2015**

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