

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No. 3156 of 2012

Date: 02.06.2015

Between:

M/s. Rudra B2B Synergies (P) Limited,
Vijayawada.

.... Petitioner

And

The Government of Andhra Pradesh,
Rep. by its Secretary,
Industries & Commerce Department,
Secretariat, Hyderabad and others.

... Respondents

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ORDER:

The petitioner-company approached this Court assailing the action of the Assistant Director of Mines and Geology, Vijayawada, Krishna District, the fourth respondent, in demanding payment of stamp duty and registration fee @ 5% on the bid amount in respect of Damulur Sand Reach, Ibrahimpatnam Mandal, Krishna District. According to the petitioner-company, such a demand is contrary to law.

By order dated 08.02.2012, this Court took note of the fact that similar matters were pending consideration and accordingly granted an interim direction to the fourth respondent to execute the lease deed by collecting stamp duty and registration fee @ 0.4% as per G.O.Ms.No.408, Revenue (Regn-I) Department, dated 11.05.2010.

Smt. N. Shoba, learned counsel for the petitioner-company, states that the lease period has already expired and the batch of cases pertaining to this issue has also been disposed of. A copy of the common order dated 10.04.2012 passed by this Court in W.P.No.17660 of 2008 and batch is placed on record and it demonstrates that this Court, taking note of the fact that the lease period had expired even in those cases, opined that nothing further remained to be adjudicated insofar as the leases were concerned. The Writ Petitions were accordingly disposed of with certain directions.

In terms of the above common order and for reasons alike as were mentioned therein, this Writ Petition is disposed of leaving it open to the respondents to make a fresh demand for payment of higher stamp duty and registration fee than that already paid by the petitioner-company as per the interim order dated 08.02.2012, if warranted, and in the event such a demand is made, it would be open to the petitioner-company to defend itself against such demand and also take recourse to all appropriate proceedings open to it in law.

Pending Miscellaneous Petitions shall stand closed. No order as to costs.

SANJAY KUMAR, J

Date: 02.06.2015

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