

IN THE HIGH COURT OF PUNJAB AND HARYANA

AT CHANDIGARH

Civil Revision No.2605 of 2015

Date of decision: 21.12.2015

Satvinder Singh and others

.....Petitioners

versus

Baldev Singh and others

.....Respondents

CORAM: Hon'ble Mr.Justice Kuldip Singh

Present: Mr.Bhupinder Singh Banga, Advocate for
Mr.Shamsher Singh Gill, Advocate for the petitioners
Mr.Birinder Singh Khehar, Advocate for the respondents

1. *Whether Reporters of Local Newspapers may be allowed to see the judgment ?*
2. *To be referred to the Reporters or not ?*
3. *Whether the judgment should be reported in the Digest?*

Kuldip Singh, J. (Oral)

Impugned in the present revision is the order dated 23.12.2014, passed by the learned Additional Civil Judge, Senior Division, Payal, wherein in an execution No.19 dated 4.4.2012, an application was moved by the petitioners -Satvinder Singh, Pritpal Singh and Ashpreet Singh to impound the sale deed dated 22.7.2014 on the ground that it is not properly stamped, was dismissed.

I have heard learned counsel for the respondents and considered the case of the petitioners and have also examine the file.

The perusal of the impugned order shows that in a decree passed for specific performance, the Local Commissioner was appointed by the Court to execute the sale deed. The Local Commissioner accordingly executed the sale deed dated 22.7.2014.

It is regarding this sale deed that the JDs have objections that it is not properly stamped.

I am of the view that application is frivolous. If there is any objection regarding the market value of the property in question, the objection is to be raised by the Registering Authority at the time of registration of the sale deed under the provisions of the Registration Act, 1908 and for that purpose, the procedure has been laid down under the said Act. Remedy of appeal is also provided under the said Act. Once the sale deed is registered, the Civil Court has absolutely no jurisdiction to hold that stamp duty on the registered sale deed is not proper. Revision is frivolous.

There are no merits in the present revision. Same is accordingly dismissed with costs quantified at Rs.10,000/- to be deposited in District Legal Aid Fund, Ludhiana.

21.12.2015*gk***(Kuldip Singh)
Judge**