

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CR No. 4238 of 2005(O&M)

Date of Decision: December 01, 2015

Bhim Singh & others

...Petitioners

vs.

Commissioner, Gurgaon & another

.... Respondents

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH

Present: Ms. Amrita Nagpal, Advocate for
Mr. Lokesh Sinhal, Advocate
for the petitioners.

Mr. Manoj Dhankhar, AAG, Haryana.

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)

Vide the impugned order dated 23.05.2003 passed by Collector, Rewari while initiating the proceedings under Section 47-A of the Indian Stamp Act, 1899, ordered the present petitioner to pay the stamp duty fees of Rs. 35,250/- on account of sale deed No.308 dated 02.05.2002 got registered with the concerned registering authority. The order was unsuccessfully challenged before

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the Commissioner, Gurgaon who dismissed the appeal on 26.05.2005.

I am of the view that if the petitioner is not satisfied with the said order, the only way is to file the civil suit before lower Court or writ petition before this Court. Therefore, exercising powers under Section 227 of the Constitution of India this Court do not find any ground to interfere in the said order.

Accordingly, the petition stands disposed of with liberty to the petitioner to avail the remedy of civil suit or writ petition as deemed fit. In case such suit is filed the limitation will not come in the way of the decision of the said suit on merits.

December 01, 2015
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(KULDIP SINGH)
JUDGE