

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Civil Writ Petition No.27285 of 2013

Date of decision: 20.01.2015

Gurjit Kaur

... Petitioner

versus

State of Punjab and others.

.... Respondents

CORAM: HON'BLE MR. JUSTICE K. KANNAN

Present: Mr. Shashikant Gupta, Advocate,
for Mr. L.M. Gulati, Advocate,
for the petitioner.

Mr. Ranbir Singh Pathania, DAG, Punjab,
for respondents 1, 3 to 5.

Mr. Balwinder Singh, Advocate,
for respondent No.2.

1. Whether reporters of local papers may be allowed to see the judgment ? No.
2. To be referred to the reporters or not ? No.
3. Whether the judgment should be reported in the digest ? No.

K.Kannan, J. (Oral)

1. The point raised in this writ petition has been already dealt with by a decision of this court in **Mohali Club, Mohali Versus State of Punjab-2010 (4) RCR (Civil) 69** where it has been held that the relevant date for assessing the value of the property when the property was sold in a public auction by the public authority is the price fetched at the auction and the same be taken as the market value. The assessment cannot be made on the basis of

valuation that had obtained at the time of registration. This was by reading the relevant rules and the notification issued by the State on 11.11.2009. In terms thereof, the impugned order seeking for payment of additional stamp duty is quashed. The document is ordered to be released to the petitioner if not already done.

2. The writ petition is allowed on the above terms.

(K.KANNAN)
JUDGE

20.01.2015
sanjeev