

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

**CWP No. 26699 of 2014
Decided on : 05.05.2015**

Dr. Jagjit Singh Punjraht

. . . Petitioner

Versus

State of Punjab and others

. . . Respondents

**CORAM: HON'BLE MR. JUSTICE AJAY KUMAR MITTAL
HON'BLE MRS. JUSTICE REKHA MITTAL**

PRESENT: Mr. Kanwardeep Singh, Advocate
for the petitioner.

Mr. Rajesh Bhardwaj, Addl. AG, Punjab.

Mr. R.S. Khosla, Sr. Advocate with
Mr. K.S. Mamrat, Advocate
for respondents No.2 & 5.

AJAY KUMAR MITTAL, J. (Oral)

On May 01, 2015, the following orders was passed:

“Learned counsel for respondents No.2 & 5 – GMADA has produced the notification dated 08.04.2015 substituting Rule 3-B of the Punjab Stamp (Dealing of Under Valued Instruments) Rules, 1983, to the following effect:-

“3-B. Notwithstanding anything contained in rule 3-A, the rate fixed for allotment at the fixed price or at the price accepted after public auction of an immovable property by the Government or a Public Sector Undertaking or a Local Body, shall be deemed to be the Collector's rate as fixed under rule 3-A of such property and the Stamp Duty shall be charged for registration of instrument of such property at the rate so fixed, at the time of execution of first conveyance deed of such property; provided the conveyance deed has been got registered within a period of two months from the date

of issue of this notification after making full payment of the price as per the Schedule fixed for payment in respect of such property and whose possession has been handed over, as the case may be.”

The copy of notification is taken on record. It was thus urged that in view of the above, the present writ petition has been rendered infructuous as the petitioner can avail benefit thereunder.”

2. It was not disputed by the learned counsel for the petitioner that in terms of the aforesaid notification dated 08th April, 2015, substituting Rule 3-B of the Punjab Stamp (Dealing of Under Valued Instruments) Rules, 1983, the petitioner has already applied for registration of the conveyance deed in terms thereof. However, the same has not been registered so far.

3. Learned counsel for the petitioner states that he may be allowed to withdraw the instant writ petition, at this stage, with liberty to the petitioner to file an application for revival of the same, in case, the Registering Authority does not register the sale deed in terms of the aforesaid notification dated 08th April, 2015.

4. Dismissed as withdrawn. It shall, however, be open to the petitioner to move an application for revival of the instant writ petition, in case, the needful is not done.

(AJAY KUMAR MITTAL)
JUDGE

(REKHA MITTAL)
JUDGE

May 05, 2015

J.Ram