

FARAD CONTINUATION SHEET
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.6797/2016

Office Notes, Office Memoranda of Coram, Appearances, court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr. Dhairsheel Sutar for the petitioner
Mrs. M. S. Bane, "B" Panel Counsel for the respondent Nos.1 to 4.

CORAM : K. K. TATED, J.

DATE : AUGUST 25, 2016

P.C.:

1. Heard. By this petition under Article 227 of the Constitution of India the Petitioner challenges the order dated 29.08.2011 passed by the learned Collector of Stamps, Kolhapur cancelling the petitioner - stamp vendor's license, as the petitioner sold some of the stamp papers without mentioning the dates on stamp papers to the public at large and without taking their entries in the register.

2. The respondent State issued show cause notice dated 09.12.2010 to the petitioner. Considering the reply dated 14.12.2010 filed by the petitioner, the authority passed order dated 29.08.2011 for cancellation of the petitioner stamp vendor's license.

3. The learned counsel for the petitioner submits that the learned Collector of Stamp failed to consider the fact that the register containing the record of stamp papers was misplaced. He further submits that by mistake, it remained on the part of the petitioner to enter each and every stamp in the register. He submits that the Collector has not given any opportunity to the petitioner to contest the matter. Hence, the said order is liable to be set aside.

4. On the other hand, the learned AGP for the petitioner submits that initially the Tahasildar held inquiry and submitted his report to the authority. The authority, after going through the report of the Tahasildar as well as the records, rightly held that the petitioner violated the terms and conditions of the licenses. Hence, there is no substance in the Writ Petition. Same is liable to be dismissed.

5. In the present proceedings, the learned Tahasildar, after holding inquiry, submitted his report stating that the petitioner committed irregularities while selling stamp papers and sold the undated stamp papers to the public at large. The authority has accepted the report and by way

of impugned order dated 29.08.2011 specifically stated in its order that the petitioner sold some undated stamp papers and some stamp papers without mentioning the names of the purchaser. The order passed by the appellate authority was on the basis of material on record like the report submitted by the Tahasildar etc.

6. Hence, I do not find any substance in the Writ Petition. Same stands rejected.

JUDGE