

FARAD CONTINUATION SHEET No.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

WRIT PETITION NO. 2698/2015

(M/S GOLD BRICKS INFRASTRUCTURE PVT. LTD. & ANOTHER **VERSUS** STATE OF MAH. & OTHERS)

Office Notes, Office Memoranda of Coram,
 appearances, Court's orders of directions
 and Registrar's orders

Court's or Judge's orders

Shri Shyam Dewani, counsel for the petitioner.
 Mrs. B.H. Dangre, Government Pleader for the R-1, 3 & 4.
 Shri S.P. Bhandarkar, counsel for the Intervenors.

CORAM : SMT.VASANTI A. NAIK AND
A.S. CHANDURKAR, JJ.

DATE : MARCH 04, 2016.

By this writ petition, the petitioners seek a declaration that the action on the part of the respondents in prescribing much higher stamp duty at the *ad-valorem* rate for the sale of flats in the township of the petitioner no.1-Company, than the rate made applicable to the other townships, schemes and properties in the nearby vicinity, is absolutely illegal and improper.

Mrs. Dangre, the learned Government Pleader appearing on behalf of the respondent nos.1, 3 and 4, states on instructions that the petitioners would be afforded an opportunity of hearing to point out as to what according to the petitioners would be the correct stamp duty liable to be prescribed for the sale of flats in the scheme of the petitioner no.1-Company. It is stated that after hearing the petitioners, the respondent no.2 would take an appropriate decision in the matter of fixation of the rate of stamp duty for the sale of flats in the township of the petitioner no.1-Company.

Shri Dewani, the learned counsel for the petitioners, states that the grievance of the petitioners would stand redressed at this stage in view of the statement made by the learned Government Pleader. It is stated that the petitioners would approach this Court, if any adverse decision is taken by the respondent no.2.

We dispose of the writ petition by accepting the statements made on behalf of the respondent nos.1, 3 and 4. The respondent no.2 is directed to decide the matter in respect of fixation of the stamp duty as early as possible and positively within a period of eight weeks from the date of appearance of the petitioners before the respondent no.2. The petitioners undertake to appear before the respondent no.2 on 14.03.2016. The interim relief granted by this Court on 07.05.2015 to continue till the respondent no.2 decides the issue. No costs.

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FARAD CONTINUATION SHEET No.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

C.A.W. NO.2049/2015 IN WRIT PETITION NO. 2698/2015

(M/S GOLD BRICKS INFRASTRUCTURE PVT. LTD. & ANOTHER **VERSUS** STATE OF MAH. & OTHERS)

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Shri Shyam Dewani, counsel for the petitioner.
 Mrs. B.H. Dangre, Government Pleader for the R-1, 3 & 4.
 Shri S.P. Bhandarkar, counsel for the Intervenor.

CORAM : SMT.VASANTI A. NAIK AND
A.S. CHANDURKAR, JJ.

DATE : MARCH 04, 2016.

Shri Bhandarkar, the learned counsel for the
 Intervenor, seeks permission to withdraw the application.

Permission is granted.

The civil application stands disposed of as withdrawn.

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