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

**C.R. No.922 of 1995**
**Date of Decision.11.03.2016**

Punjab State through Collector, Gurdaspur .....Petitioner

Vs.

Catholic Church at Dhariwal Diocese of Jullundur .....Respondent

Present: Ms. Vandana Malhotra, Addl. A.G., Punjab
for the petitioner.

None for the respondent.

**CORAM:HON'BLE MR. JUSTICE K. KANNAN**

1. Whether Reporters of local papers 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?

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**K. KANNAN J. (ORAL)**

1. Pending suit for declaration sought by the plaintiff that it was a charitable institution and that stamp duty was not payable, the Court had granted an interim order against recovery of stamp duty. The trial Court had granted the interim prayer and the Appellate Court confirmed the same. There is no need for interference at this stage,for the ultimate dispensation of the suit on merit will decide on whether the State is entitled to collect the money or not. If the Court had prima facie case of property being of charitable nature and it applied for benefit of government notification, the issue of whether the school that is being run by the society is for a charitable purpose or whether the benefit of charity will apply for invoking the exception provision will be considered at length at the time of trial of the suit.

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integrity of this document

2. There is no need for interference. The revision petition is dismissed.

**(K. KANNAN)**
**JUDGE**

**March 11, 2016**
Pankaj*

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integrity of this document