

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 1538 of 2017

Smt. Pankaj Agrawal W/o Shri Subodh Kumar Agrawal, Aged About 47 Years R/o Purani Basti, Tuti Hatri, Raipur, District Raipur (Chhattisgarh).

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Department Of Revenue, Mahanadi Bhavan, Ministry, New Raipur, District Raipur (Chhattisgarh).
2. Inspector General, Registration And Superintendent Stamps, Having Office At Opposite State Election Commission, Old Mantralaya Road, Raipur, District Raipur (Chhattisgarh).
3. Collector Of Stamps, Raipur, District Raipur (Chhattisgarh).
4. Senior Treasury Officer, District Treasury Raipur, District Raipur (Chhattisgarh).

---- Respondents

Shri Ashish Surana, counsel for the petitioner/s.
Shri R.K.Gupta, Dy.A.G. for the State.

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

19/06/2017

Heard on admission.

By this petition, the petitioner has prayed for quashing communication dated 11/01/2017 (Annexure P/1) by which the respondents have expressed inability to supply demanded stamps to the petitioner. The petitioner has also prayed for a direction to respondents to procure and make available judicial and non-judicial stamps of higher denominations of Rs.1,000/-, Rs.5,000, Rs.10,000/-, Rs.15,000, Rs.20,000/- and Rs.25,000/-.

2. Learned counsel for the petitioner argued that the petitioner is a licensed stamp vendor under Chhattisgarh Stamp Rules, 1942. She has been validly granted license for vending of stamps. The petitioner, vide application dated

09/01/2017, demanded supply of non-judicial stamps of Rs.12,500/- but the same has been denied on the ground that the stamps are not available. It is submitted by learned counsel for the petitioner that adequate number of stamp papers of aforesaid denominations are not being demanded by respondent No.4 from the Central Stamp Department, Nasik which is seriously affecting the business of the petitioner because by sale of stamp papers, the petitioner earns commission.

3. After hearing learned counsel for the petitioner, in the considered opinion of this Court, the petitioner is not entitled to any relief. The petitioner is only a licensed stamp vendor. The scheme of sale of stamp documents through licensed stamp vendor is meant to regulate sale and purchase of stamps. The sale and purchase of stamps is not aimed for providing business fortune to any licensed vendor. The impugned communication shows that as the stamps of higher denominations were not available, the same could not be sold to the petitioner. It is not a case that despite availability of the stamp as demanded, respondent No.4 has arbitrarily withheld the same in not providing the same to the petitioner.

4. No direction can be issued to respondents to provide stamps of higher denominations as per the desire of the petitioner only to augment her business. The petitioner has also leveled allegations that since in these days, e-stamps are being preferred in institutions which is being provided by specified agencies, stamp vendors like the petitioner are virtually out of business.

5. The petitioner, a licensed stamp vendor, is entitled to sell stamps as per the license and in accordance with the Rules but she cannot claim that she should be supplied stamp as per her desire.

6. I do not find any merit in this petition. The petition is accordingly dismissed.

Sd/-
(Manindra Mohan Shrivastava)
Judge