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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-2042-2014

Date of decision : 18.01.2017

Dharamvir Singh Dhankhar

... Petitioners

Versus

State of Haryana and others

... Respondents

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL

Present: Mr. Surender Deswal, Advocate
for the petitioner.

Mr. Sandeep Singh Mann, Sr. DAG, Haryana.

AMIT RAWAL, J. (ORAL)

Prayer in the present writ petition is for seeking a writ in the nature of *certiorari* for quashing of the impugned order dated 04.05.2012 (Annexure P-6), whereby the respondent(s) is stated to have rejected the claim of the petitioner for refund of the extra money deposited as stamp duty for registration of a flat in Amrawati Enclave, Panchkula @ ₹ 2,500/- per sq. feet.

Learned counsel for the petitioner submits that when the registration of the aforementioned property was done, the rate prevailing was ₹ 4,000/- per sq. feet, but the same was reduced to ₹ 2,500/-, thus, he is entitled to refund of ₹ 1,46,760/-.

Mr. Sandeep Singh Mann, Sr. DAG, Haryana, submits that the rates of ₹ 2,500/- per sq. feet were revised w.e.f. 11.05.2011, whereas the registration of the flat was done on 04.05.2011, therefore, the rates revised

were with prospective effect and not retrospective.

I have heard the learned counsel for the parties and appraised the paper book and of the view that there is no provision under the Stamp Act for refund of the registration charges as the revised rates were with prospective effect and not retrospective effect. The respondents have charged the rates which were prevailing at that time. The petitioner cannot take the benefit of change in rate at a subsequent week of time.

No ground is made out for interference and accordingly, the present writ petition is dismissed.

18.01.2017
Yogesh Sharma

(AMIT RAWAL)
JUDGE

	✓
Whether speaking/reasoned	Yes/ No
	✓
Whether Reportable	Yes/ No