

CWP No.21349 of 2017

[1]

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

**CWP No.21349 of 2017
Date of decision:19.09.2017**

Kiran Bansal and others ...Petitioners

Versus

State of Punjab and others ...Respondents

Coram: Hon'ble Mr. Justice Rakesh Kumar Jain

Present: Mr. Mukand Gupta, Advocate,
for the petitioners.

Rakesh Kumar Jain, J. (Oral)

This petition is filed to challenge the orders of the Collector, Bathinda and the Commissioner, Faridkot Division, Faridkot, passed in the proceedings initiated under Section 47-A of the Indian Stamp Act, as applicable to the State of Punjab (hereinafter referred to as the "Act"), by which the petitioners have been asked to pay the deficient stamp duty on the ground that the land of the petitioners falls within 80 feet depth of the Bathinda-Dabwali main road, for which the collector rate has been fixed @ ₹3,200/- per square yard, whereas according to the petitioners, their land falls beyond the said area and they are not liable to pay the stamp duty on the aforesaid collector rate of ₹3,200/- per square yard.

Counsel for the petitioners relies only upon the site plan (Annexure P-7), purported to have been prepared by the Halqa Patwari, to contend that some part of the land would fall within 80 feet depth of the Bathinda-Dabwali main road and some part falls beyond that, therefore, the

petitioners are not liable to pay the stamp duty at the collector rate of ₹3,200/- per square yard.

After hearing learned counsel for the petitioners and examining the available record, I am of the considered opinion that there is no merit in the present case because the petitioners have admitted that some part of their land falls within the area of 80 feet depth of the Bathinda-Dabwali main road and even if some part of their land falls beyond that area, even then the petitioners are liable to pay the stamp duty at the collector rate of ₹3,200/- per square yard.

In view thereof, the present petition is hereby dismissed being denuded of any merit, though without any order as to costs.

September 19, 2017
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(Rakesh Kumar Jain)
Judge

Whether speaking / reasoned : Yes/No
Whether reportable : Yes/No