

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

CWP No.9305 of 2017 (O&M)
Date of decision: August 02, 2017

Usha Rani and another ...Petitioner

Versus

State of Haryana and others ...Respondents

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. Gaurav Jain, Advocate for the petitioner.

Rajan Gupta, J.

Petitioner has prayed for a writ in the nature of certiorari for quashing order dated 29.04.2013 (Annexure P-1), passed by Collector, Tohana, order dated 11.11.2014 (Annexure P-3), passed by Commissioner, Hisar Division as well as order dated 22.04.2016 (Annexure P-5), passed by Financial Commissioner (Revenue), Haryana.

Brief factual matrix of the case is that petitioners got a sale deed No.3216 dated 16.11.2012 registered regarding 12 Marlas of land from the office of Sub Registrar, Tohana. The Sub Registrar later on made a reference under section 47-A of the Indian Stamp Act, 1899 before S.D.O. (Civil), Tohana, exercising the powers of Collector asking to direct petitioners to deposit Rs.49,730/- on account of deficiency of stamp duty. On the said reference, the Collector, vide its order dated 29.04.2013, held the petitioners liable to pay Rs.40730/- towards stamp duty and Rs.9000/- towards registration fees. Aggrieved, petitioners preferred appeal before

Commissioner, Hisar Division, Hisar, but the same was dismissed vide order dated 11.11.2014. Revision filed by the petitioners before Financial Commissioner (Revenue), Haryana was also dismissed on 22.04.2016.

I find no infirmity with the orders passed. It is evident that plot in question is situated on Damkora Road in Mirch-Masala Factory, Hanuman Nagar, Tohana and the collector rate for residential plots in the area was Rs.3500/- per sq. yards. I find no scope for interference in writ jurisdiction. The writ petition is without any merit and same is hereby dismissed.

(RAJAN GUPTA)
JUDGE

August 02, 2017
'Rajpal'

Whether speaking / reasoned

Yes / No

Whether Reportable:

Yes / No