

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (C) No. 737 of 2018**

Pratish Kumar Goyal, S/o Shri Harikishan Goyal, Aged about 39 years, R/o Ward No.15, Railway Station Road Shakti, District Janjgir-Champa (C.G.)

---- Petitioner

Versus

1. State of Chhattisgarh, through Secretary, Department of Revenue Mantralaya, Mahanadi Bhawan Naya Raipur, P.S.- Abhanpur, District Raipur (C.G.)
2. Collector of Stamp, Janjgir Champa (C.G.) Office of Collector of Stamp, Janjgir Champa (C.G.)
3. Sub Divisional Officer, (R), Sakti, office of Sub Divisional Officer, District Janjgir-Champa (C.G.)
4. Naib Tahsildar, Sub Tahsil- Baradwar, Office of Naib Tahsildar, Baradwar, District Janjgir- Champa (C.G.)
5. Dharam Ratre, R/o- Ward No.1, Satnami Mohalla, Sakti, P.S. Sakti, District Janjgir Champa (C.G.)
6. Shri Radha Mohan Rai, R/o – Naya Baradwar Ward No. Sakti, P.S. Sakti, District Janjgir-Champa (C.G.)

---- Respondents

For Petitioner	:	Ms. Deepali Pandey, Advocate.
For Respondents	:	Mr. Anand Dadariya, Dy. Govt. Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

19/03/2018

(1) Instant writ petition has been filed challenging the order dated 19.02.2018 passed by Collector of Stamps under Section 47-A(3) of the Indian Stamp Act and also challenged the notice issued by Sub Divisional Officer (Revenue) vide Anneuxre P-11 and another notice issued by Naib Tahsildar vide Annexure P-12.

(2) Learned counsel appearing for the State would submit that the alternative remedy is available to the petitioner to file revision under Section 56 of the Indian Stamp Act before the Chief Controlling Revenue Authority against the order of Collector of Stamps.

(3) I have heard learned counsel appearing for the parties.

(4) Be that as it may, the petitioner is at liberty to file revision under Section 56 of the Indian Stamps Act along with application for grant of stay against the order passed by the Collector of Stamps before the Chief Controlling Revenue Authority. If such a revision along with application for grant of stay is filed before the Chief Controlling Revenue Authority, firstly the application for grant of stay shall be considered and decided expeditiously preferably within a week from its receipt as the order of recovery has been passed against the petitioner. So far as notices issued by Sub Divisional Officer and Naib Tahsildar, respectively are concerned, the petitioner is at liberty to file reply and if such a reply is being filed, the proceedings shall be completed within a period of one month from the date of receipt of certified copy of this order.

(5) With the aforesaid observations, the writ petition stands finally disposed of.

Sd/-
(**Sanjay K. Agrawal**)
Judge

D/-