

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO. 1491 OF 2018

Kazi Athar Sultan Kazi Sultan
Mohioddin

... Petitioner.

Versus

Brijlal Bhikulal Soni
and others

... Respondents.

....

Mr. Mahesh K. Bhosle, Advocate for the Petitioner.

....

CORAM : V.L. ACHLIYA, J.

DATED : 12th APRIL, 2018

PER COURT:-

1. By this petition, filed under Section 227 of the Constitution of India, the petitioner has challenged the order dated 17.11.2017 passed by the learned 2nd Joint Civil Judge, Junior Division, Parbhani, thereby rejecting the prayer of the petitioner to impound the document i.e. letter dated 23.01.1981. In short, it is the contention of the learned counsel for the petitioner that the document in question is chargeable for stamp duty. He submit that as the document was not stamped, the same ought to have been impounded. I have perused the reasons and findings recorded by the trial Court. In my view, there is no perversity in the order passed. The document in question is a simple letter addressed by officer of the Municipal Council to the defendant recording therein that the possession of the premises was handed over on 10.01.1981 by the Tax Inspector. In this view, the petition filed is devoid of substance and merit therein and liable to be dismissed. Accordingly, the petition is dismissed.

**(V.L. ACHLIYA)
JUDGE**

SPR