

In the High Court of Punjab and Haryana at Chandigarh

CWP No.4853 of 2018

Date of decision: September 17, 2018

Jagjit Singh

..... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE RAKESH KUMAR JAIN

Present: Mr. Onkar Singh, Advocate for the petitioner.
Mr. Sahil Sharma, Deputy Advocate General, Punjab.

RAKESH KUMAR JAIN, J. (ORAL)

This petition is directed against the notices dated 09.10.2017 and 12.01.2018 issued by the Sub Registrar, Mukerian District Hoshiarpur asking the petitioner to pay the deficient amount on the basis of audit note.

Learned counsel for the petitioner has submitted that in case the audit objection is raised in regard to the deficient stamp duty and registration charges, the Sub Registrar may make a reference to the Collector for the purpose of recovery and it is for the Collector to initiate the proceedings in terms of Section 47-A of the Indian Stamp Act, 1899.

After notice, learned counsel for the State has filed reply.

Learned counsel for the respondents could not deny the fact that Sub Registrar has no jurisdiction to ask for deficient stamp duty.

Accordingly, the present petition is, therefore, allowed and notices dated 09.10.2017 and 12.01.2018 are hereby set aside.

(RAKESH KUMAR JAIN)
JUDGE

September 17, 2018

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