IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA AT CHANDIGARH

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*CWP No.9297 of 2018*
*Date of Decision:08.05.2018*

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Parmod Ahuja

. . . . . Petitioner

Vs.

State of Haryana and others

. . . . . Respondents

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CORAM: HON'BLE MR.JUSTICE RAKESH KUMAR JAIN

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Present: - Mr. Sandeep Sharma, Advocate,
for the petitioner.

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*RAKESH KUMAR JAIN, J.*

The petitioner has prayed for the issuance of a writ in the nature of certiorari for quashing the orders dated 8.11.2016 and 26.10.2017.

In brief, it is averred that the petitioner had purchased land measuring 500 sq. yards on 27.01.2016 situated in village Khandsa, District Gurugram. The said sale deed was referred being under valued for the purpose of stamp duty. The Collector, Gurugram vide his impugned order dated 8.11.2016 found that the petitioner has not appended the alleged deficient stamp of ₹10,68,720/-. The order of the Collector was challenged by the petitioner by way of an appeal before the Commissioner, Gurugram Division, Gurugram which was dismissed on 26.10.2017 holding that the disputed sale deed has been registered of an area measuring 500 sq. yards and covered area 2280 sq. ft. The petitioner was summoned by the Collector but he did not file any reply despite affording several opportunities to defend his case and ultimately the Collector passed the impugned order which was upheld by the Commissioner. The petitioner has basically relied upon a notification dated 12.7.2016 which has been issued in pursuance to the Enterprises Promotion Policy, 2015 formulated on 14.8.2015 for the grant of Stamp Duty refund to the various sectors of industries.

It is submitted by learned counsel for the petitioner that the petitioner is not liable to pay the Stamp Duty as ordered by the Collector and the Commissioner respectively and has relied upon the policy dated 12.7.2016.

I have heard learned counsel for the petitioner in toto.

Interestingly, no question of law even worth mentioning has been framed by the petitioner in para No.11 of the writ petition. The writ petition has been drafted very casually in which there is hardly any ground mentioned for the purpose of setting aside the impugned orders. Even otherwise, the petitioner is praying for refund of the Stamp Duty on the basis of the notification dated 12.7.2016 whereas he has been found to have appended less stamp duty on the sale deed at the time of its registration. Thus looking from any angle, I do not find any reason to interfere in this petition and hence, the same is hereby dismissed.

(RAKESH KUMAR JAIN)
JUDGE

08.05.2018
*Vivek*

*Whether speaking /reasoned : Yes/No*
*Whether Reportable : Yes/No*