

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

WRIT PETITION NO. 9232 OF 2019

**LAXMAN GANPAT KHAIRE
VERSUS
PRAYAGBAI PANDHARINATH GORE AND OTHERS**

...
Advocate for the Petitioner : Shri P. S. Shinde
AGP for Respondent No. 3 : Shri N. T. Bhagat
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CORAM : RAVINDRA V. GHUGE, J.

DATED : 25th JULY, 2019.

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PER COURT :

1. Considering the urgency, this matter was taken on the production board.
2. The petitioner is aggrieved by the order dated 04/07/2019, by which, the Trial Court has directed the petitioner defendant to keep his witness Bhimrao Jadhav present for cross-examination on the next date.
3. The defendant had moved an application on 01/01/2019 praying for impounding a notarized sale-deed for payment of appropriate stamp duty as per Section 33 of the Maharashtra Stamp Act. By an order dated 05/01/2019, the

Trial Court was pleased to allow the application and by directing the impounding of the notarized sale-deeds, sent the document to the Collector of Stamps for levying deficit stamp duty and penalty in accordance with law. The said exercise is yet not completed and hence the petitioner had requested the Trial Court to adjourn the matter till the Collector returns the said document.

4. The learned AGP appearing on behalf of respondent No. 3 submits that he would inform the District Collector that since he had intimated the Trial Court vide his communication dated 18/03/2019 that the exercise would be completed after certain documents are filed by the defendant, in the event such documents are filed, the Collector would complete the exercise on or before 09/08/2019.

5. In view of the above, this petition is disposed off. It is expected that the Collector of Stamps, Aurangabad would submit the papers to the Trial Court on or before 13/08/2019 through hand-delivery via a special messenger.

(RAVINDRA V. GHUGE, J.)

shp/-