

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

Writ Petition No. 04026 of 2019

District : Aurangabad

Pawankumar Manohar Bedre,
Age : 57 years,
Occupation : Advocate,
R/o. Plot No.1093,
Sai Nagar, N-6,
CIDCO, Aurangabad.

.. Petitioner

versus

1. The State of Maharashtra,
Through its Secretary,
Housing And Development
Corporation,
Mantralaya, Mumbai.
2. The Chief Officer,
Maharashtra Housing And
Development Authority,
Aurangabad.
3. The Collector (Stamp),
Collector Office,
Aurangabad.

.. Respondents

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Mr. V.D. Patnoorkar, Advocate, for the petitioner.

*Mr. K.B. Jadhavar, Assistant Government Pleader,
for respondent nos.01 and 03.*

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**CORAM : S.V. GANGAPURWALA &
SMT. VIBHA KANKANWADI, JJ.**

DATE : 14TH OCTOBER 2019

ORAL ORDER :

01. The dispute is with regard to the payment of stamp duty. Affidavit is filed on behalf of respondent no.03 by the Joint District Registrar and Collector of Stamps, Aurangabad. Para nos.08 and 09 of the affidavit read thus :-

"8. In reply to the content of para 7 and 8, it is submitted, the petitioners with ill intention of not to pay the stamp duty for transfer of plot 22.10.2003 the petitioner not submitted copy of transfer order / tripartite agreement. For such transfer of plot stamp duty is applicable on valuation as per ready reckoner or consideration whichever is higher. The contentions in these paras clearly shows that the petitioner was in touch with the office. It is further submitted that the office of Respondent no.3 always entertained the petitioner.

9. In reply to the content of para 9, it is submitted that the said case is not decided till date and still it is pending. The decision is pending in the said case, no letter to pay any stamp duty or penalty is issued to the petitioner. The alleged challans are just describing the head and details how to pay stamp duty and penalty online at www.gras.mahakosh.gov.in. "

It is submitted that the case is not decided by the

respondent - authority. The decision is pending. No letter to pay stamp duty is issued to the petitioner.

02. In view of that, respondent no.03 shall take decision upon case of the petitioner as contained in para 09 of the affidavit, within a period of six weeks from the date of appearance of the petitioner before respondent no.03. The petitioner shall appear before respondent no.03 on 04th November 2019.

03. With the above directions, the writ petition is disposed of.

(Smt. Vibha Kankanwadi)
JUDGE

(S.V. Gangapurwala)
JUDGE

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