

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

WRIT PETITION NO.1785 OF 2018

Ms. Anjuman Kutubuddin Mulla	...	Petitioner
Versus		
State of Maharashtra		
Through its Revenue Department		
And Others	...	Respondents

.....

Mr. Abhijeet Desai I/b Desai Legal for the Petitioner.
Ms. Jyoti Chavan, AGP for the Respondents.

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CORAM : S.C. GUPTE, J.

DATE : 25 MARCH 2019

P. C. :

. Heard learned Counsel for the parties.

2 This petition challenges a demand notice dated 7 January 2012 issued by Dy. Superintendent of Stamps, Mumbai. Learned AGP for the State submits that Collector of Stamps, Enforcement-1 at Mumbai, in his affidavit dated 26 September 2018, has taken a categorical stand that Notice dated 7 January 2012 was only an interim demand notice, proposing to hear the Petitioner on his objections. Learned AGP submits that the present petition is premature, since stamp duty is not finally adjudicated by the stamp authorities. Learned AGP agrees that if the Petitioner files her objections before the Collector of Stamps, Enforcement-1, Mumbai, she will be heard and final adjudication order will be passed. Learned Counsel for the Petitioner agrees to go before the Collector of

Stamps, for adjudicating the stamp duty. Learned Counsel for the Petitioner submits that he has already filed his objections, but if necessary, he may file further written submissions with supporting judgments before the Collector of Stamps. The Collector of Stamps shall give a personal hearing to the Petitioner either by herself or through her Advocate and pass final adjudication order within eight weeks from today. Both parties may approach Collector of Stamps, Enforcement-1, Mumbai on 1 April 2019 at 11.00 a.m. and bring this order to the notice of Collector of Stamps. All rights and contentions of the parties on merits are kept open. The petition is disposed of accordingly.

(S.C. GUPTE, J.)