

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

CIVIL REVISION PETITION No.2068 OF 2019

ORDER:

This revision, under Article 227 of the Constitution of India, is filed by the petitioner/defendant aggrieved by the order dated 26.06.2019 passed in I.A.No.66 of 2015 in O.S.No.23 of 2011 by the XVI Additional District and Sessions Judge, Ranga Reddy District at Malkajgiri.

2. Heard the learned counsel for the petitioner and perused the record.

3. Learned counsel for the petitioner would submit that the sale agreement filed by the respondent is insufficiently stamped. It is required to be stamped as per Article 6B of Schedule 1-A of the Indian Stamp Act. The Court below erroneously held that as the agreement of sale is executed on hundred rupees stamp paper, it is sufficiently stamped and thus, committed irregularity and ultimately, prayed to set aside the impugned order and direct the Court below to collect deficit stamp duty.

4. Having examined the document in question, the Court below had recorded a finding that there was no mention of delivery of possession and there were no recitals relating to the construction. Hence, the requisite stamp duty on the document in question is payable in terms of Article 6A of Schedule 1-A of the Indian Stamp Act. Therefore, there is no illegality or infirmity in the impugned order. The Court below had rightly exercised the jurisdiction vested therein. The revision petition is devoid of merit and is liable to be dismissed.

5. In the result, the Civil Revision Petition is dismissed at the admission stage. No order as to costs.

The Miscellaneous Petitions, if any, pending shall stand closed.

Dr. SHAMEEM AKTHER, J

Date: 18.09.2019
ssp

