

**201 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

**CWP No. 8292 OF 2014 (O&M)
DATE OF DECISION : 18.03.2021**

Pankaj Bansal

...Petitioner

versus

State of Punjab and others

...Respondents

CORAM : HON'BLE MR.JUSTICE ARUN MONGA

Present : Mr. M. K. Joshi, Advocate,
for the petitioner.

Ms. Sunint Kaur, AAG, Punjab.

(Presence marked through video conferencing).

ARUN KUMAR MONGA, J. (ORAL)

Vide an order dated 28.03.2012 (Annexure P-6), impugned herein, respondent No.3/District Collector has directed the petitioner to deposit the deficient stamp duty along with deficient registration charges amounting to Rs.3,58,472/- qua a sale deed to convey land measuring 1 Kanal 4.83 marlas in the name of petitioner.

2. Learned counsel for the petitioner strenuously argues pointing out certain alleged procedural irregularities. He submits that neither any notice was issued by the Sub Registrar to the vendee before sending the matter to the Collector, for his consideration and nor even the Appellate Authority issued any notice, before whom order passed by the learned Collector was challenged. Even otherwise, Sub Registrar could not have referred the matter to Collector, after a

lapse of more than two years and four months of registration of document, contends the counsel.

3. Before proceeding further, to be noted that petitioner has neither offered any plausible justification in the writ petition, nor even otherwise anything is forthcoming from the record to reflect as to why the petitioner consciously abandoned not to appear before the learned Collector during the proceedings which eventually resulted in the order impugned herein.

4. A perusal of the impugned order would reveal that the petitioner was well aware of the proceedings pending against him before the learned Collector. He had caused appearance before the Collector through counsel, but later on chose not to appear. Even after passing of final order by Collector, which was communicated to him, he neither moved any application before the Collector giving reasons of his non appearance, nor otherwise sought recalling of ex parte proceedings against him.

5. Having once acquiesced and/or abandoned the proceedings well to his knowledge, it is too belated now to challenge the order passed by the Collector, on whatever valid or invalid reasons, having once chosen not canvass the same before the Forum appropriate, at the relevant time.

6. In the premise, I do not deem it appropriate to advert to the insipid arguments of learned counsel for petitioner. No grounds to interfere in the extraordinary writ jurisdiction of this Court are made out.

7. Dismissed.

8. Since reference was sent suo motto by the Sub Registrar to the Collector, after a lapse of more than two years and four months , I am of the view that the delay thereof cannot be attributed to the petitioner. To that extent, the

impugned order dated 28.03.2012 is modified qua interest component. It is directed that the petitioner shall not be liable to pay interest with effect from the date when documents was registered i.e 27.11.2008 till 21.03.2011, when the Sub Registrar suo motto referred it to the Collector.

9. The writ petition stands disposed of in above terms.

MARCH 18, 2021
Shalini/ Jiten

(ARUN MONGA)
JUDGE

Whether speaking/reasoned :	Yes/No
Whether reportable :	Yes/No