

2023:PHHC:105140

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CWP-17681-2023 (O&M)
Date of Decision:-16.8.2023

Rajbirinder Singh ChahalPetitioners

Versus

Chandigarh Administration and others ... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Petitioner in person alongwith
Mr. G.S. Dhaliwal, Advocate.

Mr. Prateek Rathee, Advocate for respondent – U.T., Chandigarh.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner assails notice dated 19.7.2023 (Annexure P-2) issued by respondent No.2 - Additional Deputy Commissioner-cum-Collector, U.T., Chandigarh in terms of Section 47-A of Indian Stamp Act, vide which the petitioner had been directed to appear before the Court/Authority on 1.8.2023 in respect of impounding of General of Power of Attorney dated 13.6.2023.
2. The petitioner, who is present in person alongwith Mr. G.S. Dhaliwal, Advocate, has submitted that he had duly appeared before the authority concerned on 1.8.2023 and had submitted a representation clarifying therein that the document in question, which is impounded, is not in the nature of sale deed but is a power of attorney executed by son and daughter of the petitioner in favour of the petitioner keeping in view the fact that they have to

travel overseas frequently. The petitioner further submitted that the matter has now been adjourned before the authorities concerned for 9.9.2023.

3. The petitioner limits his prayer, at this stage, to the extent that the authority concerned, before proceeding further, may consider his representation dated 6.7.2023 (Annexure P-3) as regards his specific contention to the effect that the document in question is merely a General Power of Attorney executed by children in favour of their father, which could not entail any registration/stamp duty.
4. Having regard to the limited prayer made by the petitioner, the instant petition is disposed of at this stage with a direction to respondent No.2 – Additional Deputy Commissioner-cum-Collector, U.T., Chandigarh to consider his representation dated 6.7.2023 (Annexure P-3) before proceeding further in the matter pertaining to notice dated 19.7.2023 (Annexure P-2).
5. It is expected that respondent No.2 – Additional Deputy Commissioner-cum-Collector, U.T., Chandigarh shall dispose of the matter expeditiously within a period of 1 month from today.

16.8.2023

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**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No