



IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.14105 OF 2023  
WITH  
INTERIM APPLICATION NO. 972 OF 2024  
IN  
WRIT PETITION NO. 14105 OF 2023

M/s. Puranik Tokyo Bay Private Ltd.,  
A Company incorporated under the  
Companies Act, 1956  
(M/s. Saipushpa Enterprises thr. its Partner) ... Petitioner.  
**Versus**  
Collector Of Stamps Thane (City) and Anr. ... Respondents.

\_\_\_\_\_  
Mr. Jaydeep Deo, for the Petitioner.  
Mr. S.D. Rayrikar, AGP for Respondent Nos.1 to 3-State.  
\_\_\_\_\_

**CORAM : SHARMILA U. DESHMUKH, J.**  
**DATE : MARCH 11, 2024**

**P. C.:**

1. The challenge is to the order dated 10<sup>th</sup> December, 2021 passed by the Appellate Authority rejecting the Appeal challenging the adjudication of the stamp duty by the Collector of Stamps.
2. Learned counsel appearing for the Petitioner submits that subsequently the Amnesty Scheme was introduced by the State of Maharashtra and to become eligible for the Amnesty Scheme one of the condition was to withdraw the proceedings, if any, pending

in the Court of law. He would further submit that the Petitioners have given declaration of withdrawal of the proceedings and have also paid the entire stamp duty, penalty and registration charges. He points out to the *challans* which are annexed to the additional affidavit dated 16<sup>th</sup> February, 2024. He seeks permission to withdraw the writ petition in view of the benefit availed under the Amnesty Scheme. He would further submit that pursuant to the order of this Court, during the pendency of the writ petition, the Petitioner had deposited an amount of Rs.5,00,000/-. By way of an interim application, he seeks permission to withdraw the amount of Rs.5,00,000/-.

3. Interim Application has been preferred by the Petitioner seeking permission to withdraw the amount and for permission to pay the deficit stamp duty as per the Amnesty Scheme. Mr.Deo, would submit that prayer clause 'b' only survives for consideration and he be permitted to withdraw the amount of Rs.5,00,000/- along with interest accrued thereon.

4. The documents on record indicate that the benefit was taken of the Amnesty Scheme and the order dated 12<sup>th</sup> February,

2024 passed under the Amnesty Scheme has been complied with by making payment of sum of Rs.26,58,881/-. As the amount as demanded by the Authority has been duly paid, the petition is permitted to be withdrawn. In lieu of the above payments, the petitioner is permitted to withdraw the sum of Rs.5,00,000/- which was deposited before this Court pursuant to the directions contained in the order dated 10<sup>th</sup> November, 2023 alongwith the interest accrued thereon.

5. Civil Application stands allowed. Writ Petition is permitted to be withdrawn and is disposed of as withdrawn.

**(Sharmila U. Deshmukh, J.)**