
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 8561 OF 2024

Siddhartha Corporation Pvt Ltd

.. Petitioner

Versus

Joint District Registrar and Collector
of Stamp Class-I & Ors

.. Respondents

Mr. Anuj Deshmukh i/b Acelegal, Advocates for the Petitioner.

Mr. A. I. Patel, Addl. G. P., with Ms. V. R. Raje, AGP, for the State.

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CORAM: B. P. COLABAWALLA &
SOMASEKHAR SUNDARESAN, JJ.
DATE: DECEMBER 18, 2024

P. C.

1. The above Writ Petition is filed seeking a writ, order or direction to Respondent No.1 to accept the Refund Application dated 28th February 2024 filed by the Petitioner for refund of excess stamp duty and process the same without insisting on the Original Agreement.

2. The learned AGP appearing on behalf of the Respondents, submitted that since the refund sought is more than Rs.25 Lakhs, the Application cannot be entertained by Respondent No.1, but will have to be entertained only by Respondent No.2.

3. Considering the statement made by the learned AGP, we dispose of the above Writ Petition by directing that Respondent No.1 shall forward to Respondent No.2 the Refund Application filed by the Petitioner within a period of two weeks from today. Once this is done, Respondent No.2 shall give a hearing to the Petitioner and thereafter process the said Application and pass an appropriate order. Respondent No.2, is requested to complete this exercise within a period of four weeks from the date of receipt of the Application from Respondent No.1. We also direct that Respondent No.2 shall process the Refund Application without insisting on production of the Original Agreement.

4. The Writ Petition is disposed of in the aforesaid terms. However, there shall be no order as to costs.

5. Although we have disposed of the above Writ Petition, we now place it on Board for “reporting compliance” on 5th February 2025.

6. This order will be digitally signed by the Private Secretary/ Personal Assistant of this Court. All concerned will act on production by fax or email of a digitally signed copy of this order.

[SOMASEKHAR SUNDARESAN, J.] [B. P. COLABAWALLA, J.]