

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**

**CIVIL APPELLATE JURISDICTION**

**WRIT PETITION NO. 3890 OF 2025**

Shaikh Sajid Shaikh Khalil & Ors.

.....Petitioners

Vs.

The State of Maharashtra & Ors.

.....Respondents

Mr. Niranjan P. Shimpi, for the Petitioners.

Mr. B.V. Samant, Addl.G.P. with Mrs. Tanu N. Bhatia, AGP for Respondent-State.

**CORAM : REVATI MOHITE DERE &**

**DR. NEELA GOKHALE, JJ.**

**DATE : 2<sup>nd</sup> SEPTEMBER 2025.**

**P.C.:-**

1. By way of the present Petition, the Petitioners seek to quash and set aside notices dated 12<sup>th</sup> July 2024 and 27<sup>th</sup> January 2025 issued by the Respondent No.3-Joint District Registrar Class-1 and Stamp Collector, Nashik, based on a report dated 21<sup>st</sup> January 2025.

2. The notice dated 12<sup>th</sup> July 2024 called upon the Petitioners to deposit an amount of Rs.46,80,000/- being deficit stamp-duty paid by the Petitioners on the two sale deeds registered at Sr.Nos.7819/2023 and 7820/2023. The Petitioners were also called upon to furnish an explanation within a period of 15 days from the

date of the notice, in case, they were not inclined to deposit the said amount along with interest till the said amount was deposited, failing which, recovery proceedings would be initiated against the Petitioners in accordance with appropriate provisions of law. The Petitioners were also conveyed that in case, the amount could not be recovered, a charge would be created on the said property and in case, the Petitioners had transferred the said property, their other personal movable and immovable properties would be attached.

3. Heard Mr. Niranjana Shimpi, learned counsel for the Petitioners and Mr. B.V. Samant, learned Additional Government Pleader with Mrs. Tanu Bhatia, learned AGP appeared for the State.

4. Mr. Shimpi submitted that the Petitioners had replied the said notice dated 12<sup>th</sup> July 2024 and no action was taken by the Respondent No.3 pursuant to their reply. Instead the Petitioners received a fresh notice dated 27<sup>th</sup> January 2025 once again calling upon the Petitioners to deposit the said amount. In this notice as well, the Respondent No.3 called for an explanation from the Petitioners failing which it was conveyed that the properties of the Petitioners may be attached. The Petitioners have not replied this notice and

instead have filed the present petition.

5. During the course of hearing, Mr. Shimpi, on instructions, consented to reply the said notice dated 27<sup>th</sup> January 2025 within a period of four weeks from today. If a reply is given to the said notice within the stipulated time, the Respondent No.3 is directed to take an appropriate decision within two weeks thereafter. In the meantime, till such decision is taken by the Respondent No.3 and communicated to the Petitioners, the parties shall maintain status-quo in respect of the said properties. In case, the decision passed by the Respondent No.3 is adverse to the interests of the Petitioners, the said decision will not be given effect to for a period of two weeks from the date of decision, to facilitate the Petitioners to seek appropriate relief from the appropriate appellate authority, if they so desire.

6. Needless to state, that if the Petitioners fails to reply as stated aforesaid, the Respondent No.3 to take appropriate steps in accordance with law.

7. The Petition is disposed of in aforesaid terms.

8. All parties to act on an authenticated copy of this order.

(DR. NEELA GOKHALE, J.)

(REVATI MOHITE DERE, J.)

SHAMBHAVI  
NILESH  
SHIVGAN

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SHAMBHAVI  
NILESH SHIVGAN  
Date: 2025.09.08  
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