



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

WRIT PETITION NO.7548/2022

Mr. Khuzema S/o Taher Ali

...Versus...

Collector of Stamps and Joint District Registrar, Nagpur and others

Office Notes, Office Memoranda of Coram,
appearances, Court's orders or directions
and Registrar's orders

Court's or Judge's orders

Mr. S.B. Mohta and Mr. Mohd. Qubbawala, Advocates for petitioner
Mrs. H.S. Dhande, AGP for respondent No.1
Mr. C.V. Deopujari, Advocate for respondent Nos.2 to 5

CORAM : ROHIT W. JOSHI, J.

DATE : 03/11/2025

1. The present petition is filed challenging the order dated 18/11/2022, passed by the Collector of Stamps and Joint District Registrar, Nagpur/respondent No.1. By the said order, the respondent No.1 had directed the petitioner to deposit an amount of Rs.5,08,365/- as stamp duty for impounding the document in question which is an agreement to sale.

2. The grievance of the petitioner is that the order dated 18/11/2022 is passed without affording an opportunity of hearing to the petitioner.

3. Learned Assistant Government Pleader makes a statement, on instructions, from respondent No.1 that the petitioner will be afforded an opportunity of hearing on 14/11/2025 and the respondent No.1 shall decide the matter afresh upon hearing the petitioner within a period of one month thereafter.

4. In view of the above, the writ petition is disposed of in the following terms.

(i) The order dated 18/11/2022, passed by the respondent No.1 is quashed and set aside. The petitioner is directed to appear before the respondent No.1 for hearing on 14/11/2025 at 11:30 a.m. The respondent No.1 is directed to decide the quantum of stamp duty payable on the document in question afresh after hearing the petitioner. Fresh decision in the matter be taken and communicated to the petitioner on or before 14/12/2025.

The petitioner has paid an amount of Rs.5,08,365/- as per impugned order dated 18/11/2022 passed by the respondent No.1 in compliance of order dated 19/01/2023 passed by this Court in the present petition. This amount includes the alleged amount of deficit stamp duty and penalty.

(ii) If the respondent No.1 finds that any amount is required to be refunded to the petitioner, the same be refunded within a period of 30 days from the date of decision by the respondent No.1.

5. Parties to act on the copy of this order uploaded on the official website.

(ROHIT W. JOSHI, J.)