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**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CWP-36749-2019

Date of decision: 03.09.2025

JASWANT SINGH AND ANOTHER

...Petitioner(s)

VERSUS

STATE OF PUNJAB AND OTHERS

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present:- Mr. Naveen Batra, Advocate
for the petitioners.

Ms. Neha Sonawane, DAG, Punjab.

JASGURPREET SINGH PURI, J. (Oral)

1. The present petition has been filed under Articles 226/227 of the Constitution of India seeking issuance of a writ in the nature of *certiorari* for setting aside the order dated 30.09.2013 (Annexure P-2), demand notice dated 30.09.2013 (Annexure P-3) passed by the Collector, Fatehgarh Sahib, vide which the petitioners were directed to pay the deficit stamp duty, order dated 11.02.2016 (Annexure P-4) passed by the Divisional Commissioner, Patiala Division, Patiala, vide which the appeal filed by the petitioners was dismissed and notice dated 13.11.2019 (Annexure P-5).

2. At the outset, both the learned counsels for the parties have submitted that the impugned order dated 30.09.2013 (Annexure P-2) passed by the Collector, Fatehgarh Sahib records the facts which were not the facts of the



present case and the facts so stated in the aforesaid impugned order pertain to some other case and therefore, the impugned order dated 30.09.2013 (Annexure P-2) and the appellate order dated 11.02.2016 (Annexure P-4) passed by the Divisional Commissioner, Patiala Division, Patiala may be set aside and the matter be remanded back to the Collector, Fatehgarh Sahib for passing a fresh order in accordance with law.

3. In view of the aforesaid submissions made by the learned counsels for the parties, the present petition is allowed. The impugned orders dated 30.09.2013 (Annexure P-2) and 11.02.2016 (Annexure P-4) are hereby set aside. The matter is remanded back to the Collector, Fatehgarh Sahib to pass a fresh order strictly in accordance with law, within a period of three months from today, after affording adequate opportunity of hearing to the petitioners or their counsel.

03.09.2025
Chetan Thakur

(JASGURPREET SINGH PURI)
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No