

S.B.Civil Writ Petition No. 5015 / 2007

1. Jodhraj Singh S/o Shri Gida Ram, by caste Jat, Resident of Village Kheri Dhukiya, Tehsil Laxmangarh, District Sikar (Raj.)
2. Ashok Kumar S/o Shri Ladu Ram, by caste Jat, aged 36 years, Resident of Village Narsas, Tehsil Laxmangarh, District Sikar (Raj.)
3. Arjun Ram S/o Shri Ashee Ram, by caste Jat, R/o Village Adkhadya, Tehsil Sujangarh, District Churu.

---Petitioners

Versus

- 1.State Of Rajasthan through the Principal Secretary, Finance, Govt.of Rajasthan, Jaipur.
2. The Collector (Stamp), Jaipur
3. Sub-Registrar (Registration) Laxmangarh, District Sikar (Raj.)

---Respondents

For Petitioner(s) : Mr. Deepak Gupta

For Respondent(s) : Mr. Dheeraj Tripathi, Dy.G.C.

JUSTICE DINESH MEHTA

Judgment / Order

17/01/2017

By way of the present writ petition, petitioners have challenged the order dated 29-1-2007 passed by Collector Stamps, Jaipur whereby he has accepted the reference and raised additional demand in relation to the sale deed executed in petitioners' favour got registered on 29-5-2004.

Mr.Dheeraj Tripathi, learned Dy. Government Counsel appearing on behalf of the respondents raised a preliminary objection that there is efficacious, alternate statutory remedy available to the petitioners, in the form of Section 65 of the

Rajasthan Stamp Act, 1998 and hence the writ petition is not

maintainable.

I have perused the material available on record and considered the submission made by learned counsel for the petitioner.

Petitioners have challenged the order of Collector (Stamp), Jaipur, which does not suffer from any jurisdictional error, and the petitioners have essentially disputed the valuation of the land, in which this Court would not like to go into in the writ jurisdiction.

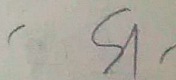
In present factual and legal matrix, this Court is not inclined to invoke extraordinary jurisdiction under Article 226 of the Constitution of India.

Hence, the instant writ petition is dismissed on the ground of availability of efficacious alternative remedy to the petitioners.

The petitioners may file the Revision Petition before Tax Board within a period of 30 days from today. The learned Tax Board would naturally take into consideration, the factum of pendency of present writ petition since 2007.

The writ petition is dismissed accordingly.




(DINESH MEHTA)J.

Anu/35

