

OS 115/2015 Dated 14.06.2022

ORDERS

The preset situation has arisen on account of the fact that the Defendants No.2 to 6 have sought to get marked a document styled as a '*vibhaga patra*'. Perusal of the said document would indicate that the parties thereunder had decided to partition the properties mentioned therein under *that very document*. In other words it is not a document recording an earlier partition, but it is under the said document that a partition was being effected. Therefore, registration of the said document is an aspect that this Court would have to consider. Further as is apparent the said document has also not been appropriately stamped. As per Article 39(b) of the Karnataka Stamp Act, which reads as under;

<i>(b) where the property involved in the partition is agricultural land</i>	<i>Rupees two hundred fifty for each share</i>
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where the property involved in the partition is agricultural land a stamp duty of Rs.250/- shall be paid for each share. In the present case the hissedars are Puttaswamy, Rajappa, Lakshmana and Narayanaswamy. Therefore Rs.250/- for each of the sharers would be the stamp duty. The penalty of 10 times would be Rs.2,500/- plus Rs.250/- being the stamp duty. Therefore the total that each sharer would be liable to pay as stamp duty and penalty would be Rs.2,750/-.

Office to collect the same. Call on 02.07.2022

(PRAVEEN.R.J.S)
CIVIL JUDGE HOLENARSIPURA.