

Plaintiffs have to pay the stamp duty on the agreement to sell dated 28.03.2003 as per article 5(e)(i) of the Karnataka Stamp Act, 1957 for the year 2003.

As per Sec.49 of the Registration Act of 1908, unregistered document may be received as an evidence of contract for specific performance as per specific relief act of 1877 provided proper stamp duty shall be payable for the same if not as per Sec.34 of the Karnataka Stamp Act of 1957, instrument not duly stamped can not be looked into for any purposes.

Accordingly plaintiffs have to pay the deficit duty and penalty for the same.

Calculation of duty and penalty.

Value stated under agreement to sell dated 28.03.2003 is Rs.31,000/-. Plaintiffs have to pay stamp duty for the same.

Stamp duty payable by the plaintiffs (Article 5(e)(i) and article 20	Rs. 2,480/-
10 times penalty 2,480X10	Rs. 24,800/-
Total stamp duty and penalty payable	Rs. 27,280/-
Less duty paid on document dt:28.03.2003	Rs. 50/-
Deficit duty penalty payable	Rs. 27,230/-

For objection to aforesaid calculation if any and payment of duty and penalty by plaintiffs.

By: 07.04.2020