Called out Sri.AM., advocate for defendant and Sri.NS., for plaintiff present and submitted that, the required stamp duty is to be paid of Rs.500/- in respect of non-agricultural property. Therefore, the plaintiff has to pay Rs.500/- on partition deed which relied upon in this case. I have perused the material placed and it discloses that, this court ordered the plaintiff to pay deficit stamp duty of Rs.100/- plus ten times penalty on the partition deed in total Rs.1100/-. But as per article 39(A) and (2) of Stamp Act, if the property is situated in the area other then those mentioned in sub (1), the proper duty to be paid Rs.500/- for each share. So subject property in this suit is house property, therefore, the plaintiff has to pay proper duty of Rs.500/-

	Stamp duty requires to be paid	Rs.	500/-
1)	Less: already paid stamp duty of	Rs.	100/-
2)	Deficit	Rs.	400/-
3)	Plaintiff shall pay duty and penalty of	Rs.	400+10/-
		Rs.	4000/-
4)	Plaintiff already paid Rs.1.100/- towards duty and penalty calculated as per earlier order and therefore, the plaintiff has to pay remaining duty and penalty of	-Rs.	1100/-
		Rs.	2.900/-

Call on 08.04.2019.

Addl.Civil Judge & JMFC,
Chikkanayakanahalli.