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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **EX.P. 18/2019**

INDRA SINGH & SONS PVT. LTD. Decree Holder
Through **Mr. Amitabh Chaturvedi, Adv.**

versus

ROOP INDER KAUR & ORS. Judgement Debtor
Through **Mr. Nitin Gupta, Adv. for JD-1**
Mr. Gurmehar S. Sistani, Adv. for
JD-7-10

CORAM:

SH. DINESH KUMAR SHARMA, REGISTRAR GENERAL

ORDER

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08.11.2019

Vide order dated 24.10.2019, the Hon'ble Court has inter alia directed as under:-

“14. Having noted the submissions made by the counsel for the parties in so far as the first objection of the judgment debtor No.1 is concerned, it is contended by Mr. Chaturvedi that an amount of Rs. 18,74,544/- was paid as stamp duty on the asking of the Registry. Be that as it may, this court is of the view that without going into the submissions made by the learned counsel for the parties, suffice would it be to direct the Registrar General to examine the objection raised by the counsel for the judgment debtor No.1 and if the Registrar General finds that decree has been properly stamped, the issue would be treated as closed. But if the decree is found to be under stamped, then the Registry shall call upon the decree holder to pay the difference of the amount and appropriately stamp the decree. The balance of the amount shall be paid by the decree holder subject to recovery to the extent of the shares, if any, from each of the judgment debtor.

Shri Amitabh Chaturvedi, learned counsel for the decree holder has invited



the attention towards the settlement decree dated 20.12.2011 passed by the Hon'ble Court. The perusal of the decree would indicate that value for the purpose of jurisdiction has been 61,31,00,000/- on which the court fee of Rs. 8260/- and e-stamp in the sum of Rs. 18,74,544/- were paid for the claim in the decree for declaration, partition rendition of accounts and injunction.

Learned counsels appearing before me have submitted that, on 24.10.2019, Mr. Ankur Sood, learned counsel for judgment debtor-1 had raised an objection that the decree was insufficiently stamped. The Hon'ble Court after hearing the arguments and noting the submissions of the parties was pleased to direct the Registrar General to examine the objection raised by learned counsel for the judgement debtor No.1.

However, today during the course of submissions Shri Amitabh Chaturvedi, learned counsel for the decree holder, Shri Gurmehar S. Sistani, learned counsel for JDs-7 to 10 and Mr. Nitin Gupta, learned counsel for JD-1 have submitted that in fact on revisit the issues they are of the view that the decree has been properly stamped.

Be that as it may, since the Hon'ble Court has been pleased to direct the Registrar General to examine the issue of stamping, the Registry is directed to calculate and submit a report within seven days.

Renotify on 21.11.2019.

DINESH KUMAR SHARMA
REGISTRAR GENERAL

NOVEMBER 08, 2019

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