
(2013) 07 MP CK 0320
In the Madhya Pradesh High Court
Case No : Writ Petition No. 7916 of 2013

M/s. Rajul Builders

APPELLANT

Vs

The State of Madhya Pradesh

RESPONDENT

Date of Decision : 17-07-2013

Acts Referred:

Citation : (2013) 07 MP CK 0320

Hon'ble Judges : Sanjay Yadav, J

Bench : Single Bench

Advocate : Sanjay Agrawal, for the Appellant; P.K. Kaurav, Learned A.A.G., for the Respondent

Final Decision : Disposed Off

Judgement

Sanjay Yadav, J.—At the outset, it is contended by learned counsel for the parties that issue raised in this petition as to enhancement of price of property vide guidelines issued by District Collector, Jabalpur under Madhya Pradesh Preparation and Revision of Market Value Guideline Rules, 2000 has been decided by a Division Bench in the case of Rameshwar Neekhra (Writ Petition No. 9226/2013[PIL] and Writ Petition No. 8459/2013[PIL]). It is urged that directions as given in W.P. No. 9226/2013[PIL] may also be issued in the present writ petition.

2. Writ Petition No. 9226/2013[PIL] has been decided in the following terms -

From the perusal of Rule 9 of the Rules it appears that there is a special provision for revision, which reads thus:-

9. Powers of special revision- (1) Notwithstanding anything contained these rules, the Inspector General of Registration and Stamps may order of a special revision of Market Value Guidelines in any specified area under the following circumstances leading to a sudden appreciation of land values:-

(a) setting up of an industry or group or industries or infrastructure projects.

(b) development of large scale housing projects,

(c) any other special circumstances having an impact on the values of immovable property in any specified area.

(2) The cases which are covered under sub-rule (1), the committee constituted under sub-rule (1) of rule 4 shall take up the revision of Market Value Guideline within the time limit stipulated by the Inspector General of Registration and Stamp.

(3) Such revised value shall be implemented on a date to be fixed by the Inspector General of Registration and Stamp.

3. From perusal of the aforesaid, it is apparent that Inspector General of Registration and Stamps has been vested with the powers for revision of Market Value Guidelines in any specified area with certain conditions. The petitioner before filing of this petition has not approached and raised his grievance before the Inspector General of Registration and Stamps.

4. In view of the aforesaid, we dispose of both the petitions with the following directions:-

(i) The petitioner may file representation before the Inspector General of Registration and Stamps under Rule 9 of the Rules for revision of the Market Value Guidelines fixed by Respondent No. 3 and 4 for District Jabalpur. The aforesaid representation shall be filed by the petitioner supported by necessary documents, if any, within a period of two weeks from today.

(ii) In case of filing of such representation, the Inspector General of Registration and Stamps shall consider and decide the representation expeditiously as far as possible within a period of two weeks from the date of filing of the aforesaid representation, after extending an opportunity of hearing to the petitioner in this regard. In the representation the petitioner shall be free to raise all the contentions permissible to the petitioner, which shall be considered by the Inspector General of Registration and Stamps in accordance with law.

(iii) It is made clear here that this Court has not expressed any opinion on the merits of the case and the Inspector General of Registration and Stamps shall be free to decide the representation in accordance with Rule 9 of the aforesaid Rules.

5. Since the issue raised in this petition is clinched by a decision rendered by the Division Bench, the petition is disposed of with a direction that directions in W.P. No. 9226/2013[PIL] shall mutatis mutandis be applicable in the present case also. The writ petition is finally disposed of.