

IN THE HIGH COURT OF BOMBAY AT GOA

LD-VC-CW NO. 215 OF 2020

Tony Rodrigues

..... Petitioner

*V e r s u s*

The Sub-Registrar, Panaji & Ors.

..... Respondents

Mr. F. E. Noronha, Advocate for the Petitioner.

Mr. D. Pangam, Advocate General with Ms. Maria Correia, Additional Government Advocate for the Respondent no. 8.

Coram :- M. S. SONAK &  
M. S. JAWALKAR, JJ.

Date : 8<sup>th</sup> December, 2020

P.C.

1. The learned Advocate General states that the Sub-Registrar has no objection in principle to register the partition decree. However, he submits that in terms of the law laid down by this Court in the case of *Fernando Colaco vs. State of Goa [1991(2) Goa Law Times 11]*, further stamp duty is required to be paid for the purpose of registration.

2. Mr. Noronha, the learned Counsel for the petitioner, submits that in law, there may not be any requirement of further stamp duty. He submits that he will make his submission on this issue on the next occasion.

3. The learned Advocate General states that the Registrar does not wish to file any reply in this matter because, now the only objection which survives, relates to the payment of this additional stamp duty.

4. Accordingly, we place this matter for further consideration on 5<sup>th</sup> January, 2021.

5. By 31<sup>st</sup> December, 2020, if the parties desire to place on record a short synopsis explaining their respective positions, they are at liberty to do so.

6. Subject to constraint of time, an endeavour shall be made to dispose off this petition finally at the stage of admission.

M. S. JAWALKAR, J.

M. S. SONAK, J.

arp/\*