



2026:AHC:62675

HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - C No. - 11400 of 2026

Pravendra Singh And 2 Others

.....Petitioner(s)

Versus

Board Of Revenue, Circuit Court And Another

.....Respondent(s)

Counsel for Petitioner(s)	:	Sheetendra Kumar Mishra, Sr. Advocate
Counsel for Respondent(s)	:	C.S.C.

Court No. - 34

(SN.12)

HON'BLE ANISH KUMAR GUPTA, J.

1. Sri Umesh Vats, learned Senior Advocate, assisted by Sri Jitendra Kumar Mishra, learned counsel for the petitioner and Sri Jitendra Singh, Additional Chief Standing Counsel for the State.
2. The instant petition has been filed by the petitioner herein seeking quashing of the orders dated 07.02.2024 passed by the Collector Stamps as well as the order dated 09.01.2026 passed by the Chief Controlling Revenue Authority/Board of Revenue, Circuit Court, Agra.
3. Learned counsel for the petitioners submits that the sale deed was executed by one Krishna Kumar in favor of the petitioners on 31.08.2018. On the basis of the report of the Deputy Registrar at Etmadpur, Agra, the proceedings under Section 47-A of the Indian Stamps Act were initiated against the petitioner herein. Vide impugned order dated 07.02.2024, the Collector Stamps noting that the said land was in fact an acquired land by the Government Department, of which the sale deed was executed by said Krishan Kumar in favor of the petitioner. In view thereof, the proceedings under Section 47-A were suspended. However, by the same order, the Collector Stamps also directed to the Sub-Registrar at Etmadpur to seize the said sale deed and to proceed before the competent court for cancellation of sale deed and declaring the same as void. The appeal preferred by the petitioner has also been dismissed vide subsequent order

dated 09.01.2026.

4. Learned Senior Counsel appearing for the petitioner submits under Section 47-A of the Stamp Act, the jurisdiction of the Collector Stamps is limited to the extent to determine any deficiency of stamps while executing and registration of the sale deed. He cannot go into the validity of the said document. Thus, by passing the directions for seizure of the said sale deed and directing the Deputy Registrar to proceed for cancellation of the sale deed and declaration of the same as void, the Collector Stamps exceeded its jurisdiction. Further, the Collector has also erred while passing directions to the Anti-Bhu-Mafia Committee to examine the matter.

5. *Per contra*, learned Additional Chief Standing Counsel for the State submits that while examining the proceedings under Section 47-A, it has come to the knowledge of the Collector Stamps that the said land was actually an acquired land by the PWD, for which neither the seller nor the purchaser are the owners and the deed pertains to the execution of sale deed of a Government land. In view thereof, the aforesaid directions have been issued by the Collector Stamps to save the public property. Therefore, learned Additional Chief Standing Counsel for the State submits that there is no illegality in the impugned orders.

6. Having heard the rival submissions so made by learned counsel for the parties, this Court has carefully gone through the record of the case. From the perusal of Section 47-A of the Indian Stamp Act, as applicable in the State of U.P., it is apparent the scope of the jurisdiction under Section 47-A is only to examine the deficiency of stamps fee paid by the executant at the time of the registration of the said deed. He has not been assigned with the jurisdiction beyond the aforesaid except to impose the penalty in case there is any deficiency of the stamps. The Collector Stamps is not vested with the powers to examine the validity of the instrument. In view of the aforesaid, this Court finds that by passing the directions to the Deputy Registrar for seizure of the sale deed and proceeding for cancellation of the sale deed as well as referring the matter to the Anti-Bhu-Mafia Committee is the Collector Stamps has exceeded its jurisdiction.

7. In view thereof, both the order dated 09.01.2026 passed by the Board of Revenue, Circuit Court, Agra and order dated 07.02.2024 passed by Collector Stamp, Agra, are hereby ***set-aside***. The instant petition is ***allowed*** accordingly.

8. It is made clear this Court has not expressed any opinion with regard to validity of the sale deed dated 31.08.2018. The aggrieved person including the Government departments, if any, is at liberty to challenge the validity of the said sale deed in accordance with law.

(Anish Kumar Gupta,J.)

March 25, 2026
Shubham Arya