

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2217 of 2015

- =====
1. Mohan Kumar S/o Late Kapildeo Sah
 2. Baldeo Sah S/o Late Swaraj Sah, both are R/o vill.-Bhimalpur, P.S. Mehshi, Dist. East Champaran.

.... Petitioners

Versus

1. The State of Bihar through Chief Secretary, Govt. of Bihar, Patna.
2. The Chief Secretary, Govt. of Bihar, Patna.
3. The District Magistrate cum Collector, East Champaran, Motihari.
4. The Sub Registrar, Department of Registration, East Champaran, Motihari.
5. The Sub Divisional Officer, East Champaran, Motihari.
6. The Circle Officer, Chakia, East Champaran, Motihari.

.... Respondents

=====

Appearance :

For the Petitioner/s : Mr. Sharda Nand Mishra

For the Respondent/s : Mr. Ajay Kumar AC to SC-17

=====

CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL

ORAL JUDGMENT

Date: 04-02-2015

Heard Mr. Mishra learned counsel for the petitioners
and AC to SC-17 for the State.

Considering the grievance raised in this application
and the stand taken by the petitioners, the writ application is being
disposed of at this stage with the consent of the parties.

The petitioners claim to have purchased a piece of
land from Sri Bishunukant Gupta, who, in turn, was the purchaser of
land from Champaran Sugar Company. The sale deed was presented
on 30.04.2010 for registration whereagainst a token number was
provided to the petitioners. Subsequent thereto the respondent- Sub
Registrar refused to register the sale deed on the ground that the
District Registrar-cum-Collector passed an order not to register the
sale deed.



The counsel for the petitioners has drawn attention of the Court to Annexure-2 which is a communication dated 06.08.2010 issued by the Department of Registration, Govt. of Bihar and addressed to the Collector-cum- District Registrar, East Champaran, Motihari for registration of the land in favour of the vendor of the petitioners namely, Sri Bishnukant Gupta on payment of required fee in the light of the order passed by the Hon'ble Apex Court fixing the value of the vended land at Rs. 8,10,40,000/-.

The grievance of the petitioners is that they filed an application before the District Registrar-cum- Collector on 16.12.2014 against such non registration which has not till date been considered and disposed of. The petitioners sought a direction to permit the District Sub Registrar to register the document presented by them. Since the matter remained pending before the Collector the present writ application has been filed. The counsel for the petitioners has submitted that the writ application be disposed of by directing the Collector-cum-District Registrar to take appropriate decision on the application of the petitioners in accordance with law.

Having heard the parties and considering the submissions made by Mr. Mishra, this Court disposes of this writ application by directing the respondent- District Registrar-cum- Collector to take appropriate decision and dispose of the application of the petitioners, copy whereof has been enclosed with this writ

application (at page nos. 26 and 27) in accordance with law as quickly as possible preferably within a period of four weeks from the date of receipt/production of a copy of this order before the said respondent.

(Kishore Kumar Mandal, J)

Shyam/-

U			
---	--	--	--