

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.620 of 2013

In
Civil Writ Jurisdiction Case No. 7865 of 2007

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Arbind Poddar, Son of Sri Sheo Bhagwan Poddar, resident of Mohalla-
Jawahar Lal Road, P.O. & P.S.- Muzaffarpur, Sadar, District- Muzaffarpur.
..... Petitioner.

Versus

1. The State of Bihar through Smt. Ashwini Datraye Thakre, Collector-cum-District Registrar, Sitamarhi.
2. Dr. Sanjay Kumar Sinha, District Sub-Registrar, Runisaidpur, District-Sitamarhi.
3. Ajaj Ahmad Khan, Ex- District Sub-Registrar, Runisaidpur, District-Sitamarhi.
4. Smt. Anuradha Mehta @ Anuradha Mundakar, D/o Late Rabindra Nath Mehta, wife of Sri Valmik Mundakar, resident of A C 270, Maidan Garhi, Road Chhattapur Enclave, New Delhi.

..... Opposite Parties.

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Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Dubey
For the Respondent/s : Mr. P.N. Sahi Aag14

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CORAM: HONOURABLE MR. JUSTICE SAMARENDRA PRATAP SINGH
ORAL ORDER

9 09-12-2015 Heard learned counsel for the petitioner and the State.

The writ petitioner filed C.W.J.C. No. 7865 of 2007 for setting aside letter dated 01.09.2006 of Additional Collector, Sitamarhi whereby he restrained the Sub-Registrar, Runisaidpur and Sub-Registrar, Muzaffarpur for registering the land in question. The writ application was allowed by order dated 09.12.2009 and the impugned order passed by the Additional Collector, Sitamarhi was quashed.

The petitioner has filed the instant contempt application for alleged disobedience of order dated 09.12.2009

passed in C.W.J.C. No. 7865 of 2007 (Arbind Poddar Vs. The State of Bihar & Ors).

A supplementary show-cause has been filed on behalf of opposite party no.2. In para. 7 and 8 of the supplementary show-cause, it has been stated that the Additional Collector Sitamarhi vide his letter dated 05.01.2014 has informed the District Sub-Registrar, Sitamarhi that there is no more restrain on the registration as contained in its earlier order dated 01.09.2006. The District Sub-Registrars would be competent to take a decision at their own level.

In view of the supplementary show-cause of opposite party no.2, it is stated that the District Sub-Registrar is not restrained to admit registration.

I do not find it expedient to proceed with the contempt application, it is accordingly, dropped.

It is relevant to state that on the basis of power of Attorney, only such land can be transferred, which was executed by an agreement prior to 1st week of October, 2005.

(Samarendra Pratap Singh, J.)

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