

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19657 of 2016

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1. Sanjay Kumar, son of Vijay Prasad Gupta, resident of Mohalla-Chowkshikarpur, Thana- Chowk, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar, through Principal Secretary, Revenue, Bihar, Patna.
2. The Registrar, Registry Office (Land), Patna Collectorate, Patna.
3. The Sub- Registrar, Office of the Sub-registrar (Land), Gulzarbagh, Patna City, District- Patna.
4. Parmanand Singh, son of Late Deep Narayan Singh,
5. Shashi Bhushan Kumar, son of Parmanand Singh,
6. Smt. Sunita Devi, wife of Late Krishna Bhushan Kumar,
Respondent No.4 to 6 resident of Village- Dumri, Police Station- Fatwa, P.O. Fatwa, District- Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar
For the Respondent/s : Mr. Raj Kishore Roy-Gp18
Ms. Surekha Kumari, A.C. to G.P.-18

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

4 10-10-2017 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner seeks a restraint order from this Court for not registering the land with any other person as an agreement has been entered into by way of “agreement for sale” with him. The description of land is Jamabandi No. 27, Tauji Bihar Sarkar, Thana No. 50, Khata No. 133, C.S. Survey Plot No. 160 (Part) Area 3 Katha situated at Mohalla-Dumri, Mauza-Dumri, P.S. Fatuha, District-Patna.

It has been submitted by learned counsel for the petitioner that after the petitioner made an application for



registration of the aforesaid land but the private respondents have in collusion with the State officials, failed to register the land in his favour though an agreement dated 27.02.2014 was executed, for which the petitioner has already given the consideration amount of Rupees five lakhs. Despite the petitioner being willing to pay the rest amount at the time of registry, the private respondents have failed to surface and register the sale deed. It is further submitted that the petitioner has also represented by Annexure-3 before the Respondent Nos. 1 and 2, but the same has not been given any notice and is pending till date.

Be that as it may, this Court fails to understand as to how the agreement of sale can be executed when the party concerned is not willing to execute the sale. The registration authorities are thus at a loss as has been submitted in the counter affidavit.

It is thus directed that the petitioner shall once again approach the authorities who shall pass a reasoned order on his representation within a period of six weeks from the date of receipt/ production of a copy of this order.

In case the petitioner does not meet with any success, it shall be open to him to take an appropriate recourse in accordance with law.



The writ application stands disposed off.

(Anjana Mishra, J)

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