

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 5476 of 2016

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Chinta Devi, W/o Dhananjai Kishore Singh, R/o Village- Bir Chapra, P.S.- Pipra Kothi, District- East Champaran

.... Petitioner/s

Versus

1. The State of Bihar through Principal Secretary Registration Department, Bihar, Patna.
2. Assistant Registrar General Tirhut Division, Muzaffarpur.
3. District Registrar, Motihari, East Champaran.
4. District Sub-Registrar, Motihari, East Champaran.
5. Circler Officer, Piprar Kothi Anchal, East Champaran.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Shiva Shankar Sharma, Advocate
For the State : Mr. Anshuman Singh, A.C. to A.G.

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date: 14-09-2017

Heard learned counsel for the petitioner and the State.

2. The petitioner has moved the Court for the following

relief:

“That, this is an application for issuance of an appropriate writ, order/orders for quashing of order dated 14.01.2016 passed in Case No. 29/2014-15 by Respondent no. 2 Assistant Registrar General Tirhut Division, Muzaffarpur whereby he has been pleased to direct the petitioner to deposit the defect revenue of the state to the tune of Rs. 194520 + and fine of Rs. 19452 = Total Rs. 213972/- within 60 days from the date of order failing which District Sub-Registrar was directed to take auction of auction process as contained in Annexure-1 and pass any other order/orders as your Lordships may deem fit and proper under the circumstances of the case.”

3. At the very outset, learned counsel for the State raised



a preliminary objection and submitted that for the said cause, a statutory forum is available to the petitioner under Section 47-A(4) of the Indian Stamp Act, 1899.

4. Faced with the situation, learned counsel for the petitioner submitted that the writ petition be disposed off with liberty to the petitioner to move before the statutory forum in appeal.

5. In view thereof, the writ petition stands disposed off with liberty aforesaid.

6. If the petitioner moves before the statutory appellate authority, within one month from today, the same shall be considered and disposed off on merits, without being prejudiced by the present order.

(Ahsanuddin Amanullah, J.)

P. Kumar

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