

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.472 of 2016

In

Civil Writ Jurisdiction Case No.15131 of 2012

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Ashok Kumar Yadav S/O Sri Ram Autar Prasad Resident of Village Bari
Pahari, P.S. Agamkuan, District- Patna.

... .. Appellant/s

Versus

1. The State of Bihar Through Secretary Cum Inspector General of Registration,
Govt. of Bihar, Patna.
2. The Inspector General of Registration, Bihar, Patna.
3. The Commissioner, Patna Division, Patna.
4. The Collector Cum District Magistrate Cum Registrar, Patna.
5. Inspector of Registration officer, Patna Pramandal, Patna.
6. Deputy Collector, Law Section, Patna.
7. Sub Divisional Magistrate, Patna City, Patna.
8. The Sub Registrar, Patna City, Patna.
9. The Circle Officer, Patna Sadar , Patna.
10. Sri Ram Avtar Prasad S/O Late Khobhari Bhagat Resident of Village Bari
Pahari, P.S.- Agamkuan, District- Patna.

... .. Respondent/s

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Appearance :

For the Appellant/s	:	Mr. Shailendra kumar Bhartee Advocate
For the Respondent/s	:	Mr. A. B. Sinha GA-8 Mr. Kalpana AC to GA-8

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI
and
HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI)

13 01-12-2017 After some arguments counsel for the appellant decides to

take advantage of the observation given by the Learned Single

Judge in paragraph 32 of the writ application.

Since the order of the Learned Single Judge does not suffer

from any legal infirmity, the order, which reads, as under, should

be taken advantage of by the appellant:



“Situating thus and in view of the discussions made above, I am of the view that the value of the property is to be assessed on the current market value or could be shifted to the date when decree for specific performance of agreement was passed by the court of competent Civil court. Nonetheless, the Court at the same time is inclined to grant an opportunity to the petitioner to rebut the claim of the respondents that the market value of the property, assessed on the date of presentation was much less than Rs. 50,47,500/- as assessed by the Circle Officer in his enquiry report. In case any such representation is filed, respondent No. 5 would duly consider the same within a period of three months from the date of its filing.”

Nothing more is required to be added over and above what the Learned Single Judge has had to say.

Appeal is dismissed.

(Ajay Kumar Tripathi, J)

(Rajeev Ranjan Prasad, J)

skm/-

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