

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9831 of 2015

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Sanjay Kumar Singh, Son of Hargovind Singh @ Hargori Singh, Resident of Mohalla Sipahi Tola Buxaghat Road, P.S. - Khazanchi Hat, P.O. District Purnea.

.... Petitioner/s

Versus

1. The State of Bihar through the Commissioner, Purnea Division, Purnea.
2. The Commissioner Purnea Division Purnea.
3. The District Sub Registrar, Purnea.
4. Krishnadev Singh, Son of Late Mukti Singh, R/o Mohalla Sipahi Tola Buxaghat, P.S. Khazanchi P.O. District Purnea.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. O.P. Pandey, Advocate
Mr. Kumar Praveen, Advocate
For the Respondent/s : Mr. Binod Ji Verma- GP 17
Mr. Raj Kishore Rai, GP 18
For Respondent no. 4 : Mr. Arun Pd. Ambastha, Advocate

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 09-08-2017 Heard learned counsels for the parties.

The present writ application has been filed for quashing the Memo no.565/C dated 7.6.2014, as contained in Annexure 5, issued under the signature of Divisional Commissioner, Purnea, directing the Respondent No.3, District Sub-Registrar, Purnea not to register the Sale Deed in respect of the land appertaining to Khata no. 1377 Plot No. 2740 and 2708 without hearing the parties.

Counter affidavit filed on behalf of respondent nos. 1,2 and 3 reflects that no Sale Deed for the registration of the land



in question was presented on behalf of the petitioner.

Learned counsel for the petitioner submits that respondent no. 4, Krishnadev Singh filed Title Partition Suit No.314 of 2010, wherein he filed injunction application and the learned Sub-Judge- I, Purnea vide order dated 8.6.2011, granted status quo, but subsequently, the said injunction application was not pressed, hence the same was dismissed and the status quo order was recalled and thereafter, respondent no. 4 persuaded the Commissioner to issue the impugned direction as contained in Annexure 5. However, learned counsel for the petitioner admits that he has not presented any sale deed for registration of the land in question.

Hence, learned counsel for the petitioner seeks permission to withdraw this writ application with a liberty to take recourse to appropriate legal remedies, if the registration is refused.

Accordingly, this writ application is disposed of as withdrawn with the liberty aforesaid.

(Dinesh Kumar Singh, J)

Anil/-

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