

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.230 of 2017

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1. Santoshmal Pransukhka @ Santosh Kumar Pransukhka,
2. Shiv Kumar Pransukhka,
Both are sons of Nand Lal Pransukhka, resident of Madhepura ward No. 10, Bhupendra Chowk, Police Station Madhepura, District - Madhepura
3. Ram Niranjana Ram Pransukhka @ Ram Niranjana Pransukhka, Son of Late Sagarmal Pransukhka, resident of Singheshwar, Police Station Singheshwar, District - Madhepura
4. Shrawan Kumar Pransukhka, Son of Banwarilal Pransukhka, Resident of Madhepura Ward No. 20, Police Station Madhepura, District - Madhepura

.... Petitioner/s

Versus

1. The State of Bihar through the Secretary, Land Reforms & Revenue Department, Government of Bihar, Patna
2. The Collector, Bhagalpur
3. The Registrar, Registry Officer, Bhagalpur

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Shashi Dhar Jha

For the Respondent/s : Mr. Ranjeet Kumar

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 14-09-2017 Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners have come to this Court for a direction to the respondents to issue certified copies of the deeds which had been executed by his father and grand father, details of which are stated hereunder:-

(a) Power of attorney no. 191 dated 06.12.1965

written by Jitanmal Dhandhanian in favour of
Sagarmal Pransukha.



(b) Power of attorney no. 195 dated 17.12.1965 written by Murlidhar Chhapariya in favour of Sagarmal Pransukha.

(c) Power of attorney no. 196 dated 18.12.1965 written by Hari Prasad Sureka in favour of Sagarmal Pransukha.

(d) Power of Attorney No. 208 dated 28.12.1965 written by Mahabir Jain in favour of Sagarmal Pransukha.

(ii) For any other relief or reliefs for which they are entitled in law be given to them.

Learned counsel for the petitioners submits that though such an application has been filed before the Registry Officer, Bhagalpur on 19.02.2015, praying therein to supply the certified copy of Attorney Power No. 191 dated 06.1.1965, Attorney Power No. 195 dated 17.12.1965, Attorney Power No. 196 dated 18.12.1965 and Attorney Power No. 208 dated 28.12.1965 (Annexure-7), the State authority has failed to supply the same to them despite repeated reminders.

Learned counsel for the petitioners submits that under the provision of Section 57 of Bihar Registration Act, the certified copy of the aforesaid power of attorney has to be supplied



to any person, if so asked for, from the Registration Authority.

Learned counsel for the State, however, submits that such copies can only be supplied to the “agents”. The provision of law is clear on the issue as Section 57 (2) (3) have clearly permitted that the copies of entries in Book No. 4 and in the index relating thereto, shall be given to any person applying for such copies. The relevant provisions are quoted hereunder for ready reference.

Section 57

“(2) Subject to the same provisions, copies of entries in Book No. 4 and in the index relating thereto shall be given to the persons executing the documents to which such entries relate or to their agent, and after the death of the executants (but not before) to any person applying for such copies.

(3) Subject to the same provisions, copies of entries in Book No. 4 and in the index relating thereto shall be given to any person executing or claiming under the documents to which such entries respectively refer, or to his agent or representative.

Having considered the entire facts and circumstances of the case and that the petitioners are the legal



heirs of the person, who had executed such deeds of power of attorney, and also because the petitioners had filed the necessary death certificate of the executants of the power of attorney in the prescribed manner, this Court directs the concerned authority to issue the certified copies of the relevant documents sought for, and to dispose of the petitioners' application within a period of six weeks from the date of receipt/production of a copy of this order.

With the aforesaid direction, the writ application stands disposed of.

(Anjana Mishra, J)

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