

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.1809 of 2015

In

Civil Writ Jurisdiction Case No.9214 of 2013

=====

Laxman Prasad Agarwal son of Late Raghunandan Agarwal, resident of
Mohalla- Gosaibagh, Tekari Road, P.S.- Civil Line, District- Gaya.

... .. Appellant/s

Versus

1. The State of Bihar
2. The Secretary cum IG Registration, Department of Registration, Bihar.

... .. Respondent/s

=====

Appearance :

For the Appellant/s : Mr. Archana Sinha @ Archana Shahi
For the Respondent/s : Mr. GP23- Anil Kumar

=====

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

(Per: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI)

2 05-09-2017 Heard learned counsel for the appellant and learned
counsel for the State as well as perused the order, dated
17.08.2015, passed by the Learned Single Judge, who dismissed
the writ application, refusing to interfere with the 2005
notification, issued by the Principal Secretary, Registration,
which had the effect of regulating the purchase and sale of non-
judicial stamps and adhesive stamps from government treasury.

The thrust of the argument of the appellant before the
Learned Single Judge was that the said notification had the
effect of hitting at their business and livelihood and it amounted
to interference in the right to do business of stamp vending.



The Learned Single Judge has refused to go by the argument of the appellant that till the extent of Rs. 5,000 /- (five thousand) only, there should be compulsion for everybody to buy stamp from a stamp vendor and they should not be permitted to approach the treasury till the ceiling of Rs. 5,000 /- (five thousand) is reached. The reason for refusal of argument is that an artificial scarcity is created by such stamp vendor and common man are extorted by realizing exorbitant prices of such stamp. It is to curb such monopoly that the Principal Secretary, Registration issued the notification in larger public good.

The Learned Single Judge has committed no error in dismissing the writ application and we are not convinced that the appellant has a case for interference with the order.

Appeal is dismissed.

(Ajay Kumar Tripathi, J)

(Rajeev Ranjan Prasad, J)

skm/-

U			
---	--	--	--

