

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14785 of 2016

Prakash Ranjan, S/o Sri Shashi Bhushan Singh, R/o Mohalla-Saudagar Kothi,
P.S.-Fatuha, District-Patna

... .. Petitioner/s

Versus

1. The State of Bihar through Secretary, Department of Revenue, Government of Bihar, Patna
2. The District Magistrate, Patna
3. The District Sub- Registrar, Registry Office, Patna Sadar, Patna

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Vishal Saurabh, Advocate Mr. Sujit Kumar Sinha, Advocate
For the Respondent/s	:	Mr. Raj Kishore Roy, G.P.-18 Ms Surekha Kumari, A.C. to G.P.-18

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL JUDGMENT

Date : 16-11-2017

Heard learned counsel for the petitioner and the learned counsel appearing on behalf of the State.

2. The petitioner seeks return of the registration fee, which has been deposited with the State of Bihar, Registration Department, vide Challan dated 13.05.2013.

3. It is submitted by the learned counsel for the petitioner that due to certain unforeseen circumstances, registration could not be effected and, therefore, the money so deposited for registration of the documents may be returned to him.

4. It is evident from Annexure 2 to the writ application that an amount of Rs.60,279/- (Rupees Sixty thousand two hundred seventy nine only) was deposited with the State Bank of India, Patna Main Branch, Patna and received in cash on 14th May, 2013.



5. A counter affidavit has been filed on behalf of the State, stating that no documents are available with the Registration Office. However, Annexure 2 is clear that the aforementioned amount has been deposited as the quadruplicate copy was available with the petitioner and rest has been deposited in the respective offices; be it the Bank or the Registration Office.

6. In view of the fact that the said amount has remained with the Registration Department for a period of four years, let the same be returned forthwith. The District Magistrate, Patna (Respondent No.2) shall ensure that the aforementioned amount is returned to the petitioner within four weeks of the receipt/production of a copy of this order and the Registration Office shall not create hindrances further by stating that the copy is not available with it.

7. With the aforementioned observations and directions, the writ application stands disposed of. No costs.

(Anjana Mishra, J)

PNM

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	
Transmission Date	N.A.

