

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15474 of 2017

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Jitendra Kumar Singh Son of Late Manager Prasad Singh, Resident of
Village-Bukar, P.S. & Dist. Jamui,

... .. Petitioner/s

Versus

1. The State of Bihar through District Sub Registrar, Jamui,
2. Principal Secretary, Registration, Excise and prohibition Dept., Govt. of Bihar Patna.
3. Inspector General of Registration, Govt. of Bihar, Patna
4. Assistant Inspector General of Registration, Munger Division, Munger
5. District Magistrate-Cum-District Registrar, Jamui,
6. District Sub Registrar, Jamui,
7. Susant Kumar Singh, Son of late Gautam Kumar Singh, Resident of Village-Mahisauri, P.S. & Dist. Jamui,

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Prabhat Ranjan Singh
For the Respondent/s : Mr. Dharendra Kumar Singh, AC to AAG-6

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL JUDGMENT

Date : 13-09-2018

Heard learned counsels for the parties.

The present writ application has been filed for quashing the order dated 27.01.2017 passed in Deficit Stamp Case No. 43/2016 (Jamui) by Respondent No.4, Assistant Inspector General, Registration, Munger Division, Munger, as contained in Annexure 1, whereby the petitioner has been directed to deposit deficit stamp duty of Rs.8,91,000/-.

It is submitted by learned counsel for the petitioner that the petitioner submitted adequate stamp for registration of the instrument but without issuing notice to the petitioner, the hearing of Deficit Stamp Case No. 43/2016 was conducted by Respondent No. 4, and without noticing him, the impugned order has been passed by Respondent No.4, Assistant Inspector General, Registration, Munger Division, Munger.

Counter affidavit filed on behalf of the respondents suggests that the reference has been made without examining the report of



Circle Officer with regard to the classification of land.

Keeping in view the fact that the petitioner has not availed the alternative remedy of appeal, this Court is not inclined to interfere. The petitioner is given liberty to prefer appeal alongwith an application for condonation of delay in filing the appeal, if any, within a period of four weeks from the date of receipt/production of a copy of this order.

If such appeal is filed, the Appellate Authority is expected to consider the appeal as well as the application for condonation of delay in view of the fact that the petitioner was pursuing his grievance before this Court. Needless to mention, for the next four weeks, let no coercive steps be taken in pursuance to the said impugned order.

With the aforesaid observation/direction, this writ application is disposed of.

anil/-

(Dinesh Kumar Singh, J)

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

