

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4878 of 2016

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Kapil Deo Mahto S/o Uchit Lal Mahto Resident of Village- HAbaspur (At present Gangpataul, Simartala Chowk), P.S.- Mansur Chak, District-Begusarai.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Assistant Registrar Inspector General, Munger Division- Munger.
3. Distict Magistrate, Begusarai.
4. Deputy Registrar cum Public Information Officer (Namely Kumari Sweeti) Teghra.
5. Circle Officer (C.O.), Mansur Chak.
6. Circle Inspector, Mansur Chak.
7. District Deputy Registrar, Begusarai.
8. Randhir Kumar Office Clerk, Teghra (Registree Office).

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Raghu Nath Singh, Adv.
For the Respondent/s	:	Mr. Apurva Kumar, AC to GA-4

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 29-10-2018 Heard learned Counsel for the petitioner and learned
AC to GA-4 for the respondent-State.

The present writ application has been filed for setting aside the order dated 29.12.2015 passed in Case No.41 of 2014, as contained in Annexure-1'A', by Assistant Inspector General, Registration, Munger Division, Munger, whereby, the petitioner has been directed to deposit the deficit stamp to the tune of Rs.18,300/-. The said order has been passed on reference being



made by the Sub-Registrar, Teghra vide letter No.277 dated 30.09.2014 of a sale deed after registration under sub-section (2) of Section 47-A of the Indian Stamp Act, 1989 (hereinafter referred to as 'the Act').

Since there is provision of appeal under Rule 13 of the Bihar Stamp (Prevention of Under-Valuation of Instruments), Rules, 1995 (hereinafter referred to as 'the Rules, 1995') against the order passed under sub-section (2) of Section 47-A of the Act, this Court is not inclined to interfere. However, in the interest of justice, this Court grants liberty to the petitioner to prefer an appeal before the appellate authority, i.e. the Divisional Commissioner, Munger Division, Munger within a period of three weeks from the date of receipt or production of a copy of this order.

It is expected from the appellate authority that if such an appeal is filed against the impugned order dated 29.12.2015 within a period of three weeks from the date of receipt/production of a copy of this order, along with an application for condonation of delay in filing of the appeal, then the appellate authority may consider the same, within a period of six weeks thereafter, keeping in view the fact that writ application has been pending before this Court.



Accordingly, the writ application is disposed of with
the observation and liberty aforementioned.

(Dinesh Kumar Singh, J)

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