

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4243 of 2017

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Kamleshwari Yadav, Son of Late Soti Yadav, Resident of Village- Kahara
(Chakale Ratanpura), Police Station- Saharsa, District- Saharsa.

... .. Petitioner/s

Versus

1. The State of Bihar through the Revenue Department, Govt. of Bihar, Patna.
2. The District Registrar, Saharsa.
3. The Sub-Registrar, Saharsa

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Prabhas Ranjan, Adv.

For the Respondent/s : Mr. Sajid Salim Khan, SC-25

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL JUDGMENT

Date : 17-09-2018

Learned counsel for the petitioner is permitted to implead the Sub-Registrar, Saharsa as Respondent No.3.

In the present writ application the petitioner has prayed for a direction to the respondent authorities to supply the certified copy of the registered gift deed dated 20.02.1997 executed by Bahuri Mandal, son of late Hari Narayan Mandal, in favour of the petitioner with respect to a land appertaining to Plot No.1718, 1352, 1716, 1749, 1805, 1343, 1612 and 1640 admeasuring an area of 2 bigha 10 Katha, situated in Village - Kahara, District-Saharsa.



It is submitted by learned counsel for the petitioner that the petitioner filed a requisition for a certified copy of the gift deed on 08.11.1998, as contained in Annexure-1 and when he was not provided the certified copy of the gift deed dated 20.02.1997, the petitioner filed an appeal before the Bihar State Information Commission on 02.12.2016, but in spite of that the same has not been provided to the petitioner till date. Learned counsel for the petitioner further submits that the petitioner is ready to submit a fresh requisition for supply of the certified copy of the gift deed dated 20.02.1997.

It is submitted by learned counsel for the State that if the petitioner files a fresh requisition before the authority concerned and the deed in question is available, then the same will be provided to the petitioner within a reasonable time frame.

Considering the nature of prayer made and the present stand of the respondent authorities, the writ application is disposed of with a liberty to the petitioner to submit a fresh requisition for providing him the certified copy of the gift deed in question, before the Respondent No.3, the Sub-Registrar, Saharasa, within a period of three weeks from the date of receipt/production of a copy of this order, whereupon, the



Respondent No.3 is expected to pass appropriate order within a period of three weeks from the date of submission of the requisition, in accordance with law.

It is made clear that this Court has not observed anything with regard to the genuineness of the gift deed claimed by the petitioner.

(Dinesh Kumar Singh, J)

Ashwini/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

