

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8904 of 2017

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Khalid Anwar son of Late Munir Alam resident of Narainapur, Police Station
- Ramnagar, District - West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Inspector General of Registration, Tirhut Division, Muzaffarpur.
2. The Inspector General of Registration, Tirhut Division, Muzaffarpur.
3. The District Assistant Registrar, West Champaran at Bettiah.
4. The Assistant Registrar, Bagha, West Champaran.
5. The Registry Office, Bagha, West Champaran.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Baxi S.R.P. Sinha, Sr. Advocate Mr. Zainul Abedin
For the Respondent/s	:	Mr. Manish Kumar, AC to AAG 6

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 04-10-2018 Heard learned counsels for the parties.

The present writ application has been filed for quashing the Notice dated 3.3.2016 issued vide Memo No. 251 under the signature of Respondent No. 3, District Assistant Registrar, West Champaran, Bettiah as contained in Annexure -6, whereby the petitioner has been directed to deposit the deficit stamp of Rs.501430/-, penalty of Rs.50143/- and registration fee of Rs.125360/-, total amounting to Rs.676933/- by 22.3.2016.

It appears from the materials on record that the impugned notice, as contained in Annexure 6, has been issued in pursuance to the order dated 22.1.2016 passed by the Assistant



Inspector General of Registration, Tirhut Division, Muzaffarpur in Stamp Case No. 115 of 2015-16, as contained in Annexure 5, whereby the petitioner has been directed to deposit the deficit stamp of Rs.501430/- and penalty of Rs.50143/- and in case of non-payment of the said amount within sixty days, interest would be realized at the rate of 5%.

This Court is not inclined to interfere on the sole ground that discretionary jurisdiction can usually be exercised when there is gross violation of principles of natural justice or when there is no other alternative and efficacious remedy.

Since the impugned order dated 22.1.2016 passed by the Assistant Inspector General of Registration, Tirhut Division, Muzaffarpur in Stamp Case No. 115 of 2015-16, as contained in Annexure 5 is appealable, the petitioner is permitted to prefer appeal against the impugned order along with an application for condonation of delay, within a period of three weeks from the date of receipt/production of a copy of this order. It is expected from the Appellate Authority to consider the application for condonation of delay keeping in view the fact that the present writ application was pending before this Court.

It is made clear that in pursuance to the impugned order or notice, let no coercive steps be taken against the



petitioner for next three weeks.

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

(Dinesh Kumar Singh, J)

anil/-

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