

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14882 of 2017

1. Kumari Kiran Singh W/o Sri Sanjay Kumar Singh, Resident of
Village-Gadi Bukar, P.S. & Dist.-Jamui,

..... Petitioner

Versus

1. The State of Bihar through District Sub Registrar, Jamui
2. Principal Secretary, Registration Excise, and Prohibition Dept.
Govt. of Bihar, at Patna.
3. Inspector General of Registration, Govt. of Bihar, Patna
4. The Assistant Inspector General, Registration, Munger Division,
Munger
5. The District Magistrate, cum District Registrar, Jamui,
6. District Sub Registrar, Jmui,
7. Shankar Prasad Singh Son of late Anant Prasad Singh, Resident
of Village-Mahisauri, P.S. & Dist. Jamui,

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Prabhat Ranjan Singh

For the Respondent/s : Mr. Mrityunjay Kr. Singh, AC to AAG 6

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL JUDGMENT

Date : 02-11-2018

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. 27/2016 (Jamui) by Respondent No.4, Assistant Inspector General, Registration, Munger Division, Munger, as contained in Annexure 1, whereby on reference being made under Section 47-A(1) of the Indian Stamp Act, 1899, the petitioner has been directed to deposit deficit stamp duty to the tune of Rs.1,90,225/- and penalty of Rs.19,023/-, total amounting to Rs.2,09,248/-.

It is submitted by learned counsel for the petitioner



that the petitioner was neither given opportunity of being heard at the time of reference by the Sub-Registrar nor by Respondent No.4, Assistant Inspector General, Registration, Munger Division, Munger at the time of hearing the case nor any notice was ever served upon the petitioner.

Though a counter affidavit has been filed on behalf of the respondents wherein it is submitted that despite notice having been served upon the petitioner the petitioner failed to appear.

Since there is a statutory provision of appeal against the impugned order, this Court is not inclined to interfere. The petitioner is given liberty, if so advised, 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.

(Dinesh Kumar Singh, J)

anil/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

