

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7213 of 2018

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1. Shri Chandra Shekhar Rai, Son of Ramratan Rai
 2. Vishwanath Rai, Son of Late Dwarika Rai
 3. Julekha Khatun, Wife of Md. Mumtaz Ahmad,
- All are residents of Village - Fatehpur Kamali, P.O. Mahnar, P.S.
- Mahnar, District - Vaishali.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Revenue and Land Reforms Department.
2. The District Magistrate, Vaishali.
3. The Registrar, the Registry Office, Hajipur, Vaishali.
4. The Sub-Registrar, Sub Registry Office, Mahnar, District - Vaishali.
5. The Circle Officer, Mahnar, District - Vaishali.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Amar Nath Yadav, Adv.
For the Respondent/s	:	Mr. S.C. Yadav, GP-15
		Mrs. Sangh Mitra Ghosh, AC to GP-15

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 30-08-2018 Heard Mr. Amar Nath Yadav, learned counsel for the

petitioners and Mrs. Sangh Mitra Ghosh, learned AC to GP 15

for the respondent-State.

The present writ application has been filed for quashing the notice issued vide Memo nos. 63 and 37 dated 13.03.2018 and 22.02.2018, as contained in Annexure-4 and 5 series respectively, under the signature of Respondent No.4, the Sub-Registrar, Mahanar, Vaishali, whereby the petitioners have been directed to make payment of deficit stamp, penalty and interest on the delayed payment, in pursuance to the order passed by the Collector/Assistant Director General, Registration, Tirhut Division, Muzaffarpur in Stamp Case No.



53 of 2003-04.

It is submitted by learned counsel for the petitioners that the notices have mechanically been issued and the conclusion arrived at by the authorities with regard to deficit stamp fee is absolutely mechanical and arbitrary.

After some argument, learned counsel for the petitioners seeks permission to withdraw the present writ application to file appeal against the order passed by the Assistant Director General of Registration in Stamp Case No. 53 of 2003-04.

Permission is accorded.

Accordingly, the present writ application is dismissed as withdrawn with above mentioned liberty to the petitioner.

If the petitioners file any such appeal 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, the appellate authority will consider the same, keeping in view the fact that the writ application was pending before this Court.

(Dinesh Kumar Singh, J)

Amrendra/Deepak/-

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