

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14117 of 2017

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Nitesh Kumar Singh, Son of late Anil Kumar Singh, Resident of village
Kalyanpur, P.S. & Distt. Jamui.

... .. Petitioner/s

Versus

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

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Prabhat Ranjan Singh
For the Respondent/s : Mr. Amresh Kumar Singh – AC to GA-1

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL JUDGMENT

Date : 13-09-2018

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. 23/2016 (Jamui) by Respondent No.4, Assistant Inspector General, Registration, Munger Division, Munger, as contained in Annexure 1, whereby the petitioner has been directed to deposit deficit stamp duty of Rs.7,13,295/-.

It is submitted by learned counsel for the petitioner that the petitioner submitted adequate stamp for



registration of the instrument but without issuing any notice to the petitioner, reference was made and the impugned order was passed by Respondent No.4, Assistant Inspector General of Registration, Munger Division, Munger. It is further submitted that the reference has been made without examining the report of Circle Officer with regard to the classification of land.

Keeping in view the fact that the petitioner has not availed the alternative remedy of appeal, this Court is not inclined to interfere. The petitioner is given liberty to prefer an 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 order impugned.

With the aforesaid observation/direction, this



writ application is disposed of.

(Dinesh Kumar Singh, J)

anil/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

