

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13995 of 2017

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Shweta Singh @ Sweta Kumari, W/o Abhishek Kumar, Resident of Village-
Gadi Bukar, P.S. & Dist- 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. District Magistrate, cum District Registrar, Jamui.
6. District Sub Registrar, Jamui.
7. Susant Kumar Singh, Son of Late Gautam Kumar Singh, Resident of Village- Mahisauri, P.S. & Dist- Jamui.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Prabhat Ranjan Singh
For the Respondent/s : Mr. Dharendra Kumar Singh, AC to AAG-6

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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. 44/2016 (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.2,50,551/-.

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



the instrument after proper valuation, but objection was raised under Section 47(A)(1) of Indian Registration Act by the Sub-Registrar without giving any notice to the petitioner. It is further submitted that the petitioner was not aware of the order dated 27.01.2017 passed in Deficit Stamp Case No. 44/2016 (Jamui) by Respondent No.4, Assistant Inspector General, Registration, Munger Division, Munger, as contained in Annexure 1.

Counter affidavit filed on behalf of the respondents suggests that the reference has been made without examining the report of Circle Officer with regard to the classification of land.

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

