

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3869 of 2018

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Awadhesh Kumar Jhunhunwala Son of Late Radhe Krishna Jhunhunwala,
resident of Sujaganj, D.N. Singh Road, P.O. and P.S.- Kotwali, District-
Bhagalpur Bihar.

... .. Petitioner/s

Versus

1. The State Of Bihar.
2. The District Registrar, Bhagalpur, P.O. and P.S.- Bhagalpur, District-
Bhagalpur Bihar.
3. The District Sub-Registrar, Bhagalpur, P.O. and P.S.- Bhagalpur, District-
Bhagalpur Bihar.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Wasi Ahmad Khan, Advocate
	:	Mr. Jagjit Roshan, Advocate
For the Respondent/s	:	Mr.Pushkar Narayan Shahi -AAG6

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 19-04-2019 Heard learned counsel for the petitioner and counsel
appearing on behalf of the State.

Petitioner is aggrieved by the order refusing the registration of the documents. Earlier the petitioner has approached this Court in CWJC No. 1487 of 2016 and vide order dated 14.9.2017 the Hon'ble Court remitted back the matter to the authority with direction to pass appropriate orders, in accordance with law. The respondents have refused to registered the deed on the ground that Section 23 of the Registration Act, bars execution of deed. Learned counsel for the petitioner submits that Section 23 is absolutely alien and not



attracted in the instant case.

Considering the submission of the counsel for the petitioner and on perusal of the entire case record, the Court is of the considered view that registering authority have absolutely no right to examine the right, title and interest in the matter of admitting the documents for registration, he is required to registered the documents. The order rejecting the registration contained in Annexure-1 is quashed. The respondents are hereby directed to admit the documents for registration and proceed to register the document if the document is otherwise in order for registration. Respondents have to complete the obligation of registration of the document at once.

With the aforesaid, the present writ petition stands allowed and disposed of.

(Anil Kumar Upadhyay, J)

T.Kr./-

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