

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.441 of 2018

=====

Shafi Ahmad, son of late Wajul Haque, Resident of Mehendi Hassan Chock,
PO- M.I.T., PS- Brahmpura, District- Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Registration Department,
Govt. of Bihar, Patna.
2. The District Magistrate, Muzaffarpur, at and PO- Muzaffarpur, District-
Muzaffarpur.
3. The Treasury Officer, Muzaffarpur, at and PO- Muzaffarpur, District-
Muzaffarpur.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s	:	Mr. N. K. Singh, Advocate Mr. Jitendra Kumar, Advocate
For the Respondent/s	:	Mr. Manish Kumar, AC to AAG-6

=====

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL JUDGMENT

Date : 28-05-2019

The petitioner has challenged the order as contained in Memo No.74 dated 17.07.2017 passed by the District Magistrate, Muzaffarpur, by which stamp license of the petitioner was cancelled. The petitioner filed Misc. Appeal No.120 of 2017 before the Divisional Commissioner, Muzaffarpur, which was also dismissed.

It is mentioned in the order of the Collector (Annexure-P/3) that show cause notice was issued to the petitioner and he filed show cause on 13.12.2017. The District Magistrate was not satisfied with the show cause and has cancelled the license of the petitioner. It is mentioned in the impugned order that matter is



pending for investigation before the CBI. During investigation, the CBI has found various irregularities committed by the petitioner on inspection of sale register of Stamp Paper.

Therefore, this Court does not find any illegality in the impugned order passed by the Collector by which license of the petitioner has been cancelled.

The petitioner has further made prayer that he has already deposited Rs.1,40,000/- on different dates for purchase of the Stamp Paper. After cancellation of his license, aforesaid amount is still with the state government and the same be refunded to the petitioner.

Counsel for the State has submitted that there is due procedure laid down for return of the aforesaid amount. The petitioner has not taken steps for refund of the amount till date.

In such circumstances, the petitioner is directed to take necessary steps, as prescribed in law, for return/refund of the amount which he has already deposited for purchase of the Stamp Paper for which he was not supplied Stamp Paper after cancellation of his license. In the event petitioner files such petition before the authority concerned for return/refund of the amount, the same shall be considered by the authority and final order shall be passed within a period of one month from date of



filing of such petition for return/refund of the amount to the petitioner.

This writ application is disposed off with aforesaid observation.

(Sanjay Priya, J)

J. Alam/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	31.05.2019
Transmission Date	N/A

