

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8384 of 2019

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Shajaha Khatoon W/o Late Md. Ajhar R/o 70, Kaibag, Betiyan, District- West
Champanan. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Department of Registration, Government of Bihar, New Secretariat, Patna.
2. The Principal Secretary, Department of Registration, Government of Bihar, New Secretariat, Patna.
3. The Inspector General of Registration New Secretariat, Patna.
4. The Deputy Inspector General of Registration, New Secretariat, Patna.
5. The Collector-cum- District Registrar, West Champanan, Bettiah.
6. The Principal Secretary, Department of Revenue, Government of Bihar, New Secretariat, Patna.
7. The Sub Registrar Bagaha, District- West Champanan.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Chandra Kant, Advocate
For the Respondent/s : Mr. Dharendra Kumar, AC to AAG 6

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
and
HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL JUDGMENT
(Per: HONOURABLE MR. JUSTICE SHIVAJI PANDEY)

Date : 03-09-2019

Counsel for the petitioner submits that in the counter affidavit filed by the respondent no. 4 due to inadvertence wrong year of the case no i.e '2018' has been typed in place of '2019'. Accordingly, this Court directs the office to find out the counter affidavit wherein wrong case no. i.e. 'C.W.J.C. No. 8384 of 2018' has been mentioned in place of correct case number i.e. 'C.W.J.C. No. 8384 of 2019' and bring the same on record.

In the present case, the petitioner, who herself is a widow has raised the objection and complaint against the issuance of



advisory by the Collector-cum-District Registrar dated 24.11.2018 by which he has advised the Sub-Divisional Officers to ensure that any transfer of immovable property by a widow is only after seeking approval of the Sub-Divisional Officer. The said advisory has been issued in light of purported interpretation of the direction issued by the Hon'ble Supreme Court in Writ Petition (Civil) No. 659 of 2007 wherein the Hon'ble Supreme Court, in order to protect the interest of widows either staying in the Care Homes or Vridha Ashram, took steps to constitute a Committee for giving suggestions and on which direction, the committee gave its suggestions on different matters including the issue of protection of property rights.

Pursuant to order of this Court dated 19.06.2019 a counter has been filed on behalf of the respondent no. 4. It is clearly stated that the scope of the court's order is related to protection of destitute and vulnerable widows staying in Vrindavan and other Ashrams and it should not be extended to widows who are educated, empowered, wealthy and able to protect themselves and in this respect the department has now modified the impugned circular after obtaining approval of the competent authority and new circular has been circulated to the District



Sub Registrar and Sub Registrar across the Bihar vide letter no.
2549 dated 18.07.2019.

In view of this amendment in the circular, counsel for the
petitioner submits that his purpose has been satisfied and he
does not want to proceed further. Accordingly, this petition is
disposed off.

(Shivaji Pandey, J)

(Partha Sarthy, J)

Prakash/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

