

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9120 of 2019

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Ritesh Anand, Son of Santosh Kumar, Resident of Sultanganj, Ashok Raj Path, P.O. Mahendru, P.S.- Sultanganj, District- Patna. Petitioner/s
Versus

1. The State of Bihar
 2. The Principal Secretary, Revenue Department, Bihar, Patna.
 3. The Commissioner, Saran.
 4. The District Magistrate, Chapra.
 5. The District Revenue Magistrate, Chapra, Saran. Respondent/s
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Appearance :

For the Petitioner/s : Mr. Kameshwar Singh
For the Respondent/s : Mr. Subash Chandra Yadav (Gp15)

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 24-04-2019 Heard learned counsel for the petitioner and the State.

2. The grievance of the petitioner in the present writ application is that although on merit the authorities have accepted his claim for refund of Rs.59,115/-, but on account of the fact that there is delay in filing application for refund, his claim has not been favourably considered.

3. Learned counsel for the petitioner submits that the petitioner has applied for refund of court fee amounting to Rs.59,115/- on 17.7.2017, but the respondents sat tight over the matter and getting no response, the petitioner sought information under Right to Information Act from the Collector, Saran. He further submits that thereafter the petitioner has also filed application before the Additional Collector on 17.03.2018 for refund of registry charge in terms of Registry Act, 1908, but



the same did not get any response. On 12.02.2019, the petitioner submitted application before the Office of Commissioner, Saran Division, but the registry charge has not been refunded to the petitioner. He further submits that the application for refund was submitted within one year, which is the statutory period, as such the respondents are under obligation to refund the amount of registry charge, but they have unauthorizedly kept the matter pending and not refunded the registry amount to the petitioner as yet.

4. Considering the aforesaid, the writ application is disposed of with a direction to the Collector, Saran, Chapra to examine the record and if it is found that the petitioner has applied for refund of registry amount within a period of one year in terms of the Rule, he shall ensure refund of the registering amount within a maximum period of three months from the date of receipt/production of a copy of this order, failing which the entire amount will carry interest at the rate of 9% per annum from the date of deposit till the date of actual payment, which shall be born out from the pocket of officers of the registry office.

(Anil Kumar Upadhyay, J)

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