

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9012 of 2019

-
-
1. Naresh Prasad S/o Late Ram Keshwar Prasad Resident of Mohalla-Kamruddinganj, Town- Bihar, P.s.- Lehari, Distt.- Nalanda at Biharsharif
 2. Suresh Prasad S/o Late Ram Keshwar Prasad Resident of Mohalla-Kamruddinganj, Town- Bihar, P.s.- Lehari, Distt.- Nalanda at Biharsharif
 3. Mahesh Prasad S/o Late Ram Keshwar Prasad Resident of Mohalla-Kamruddinganj, Town- Bihar, P.s.- Lehari, Distt.- Nalanda at Biharsharif
 4. Mahapati Devi W/o Late Ram Keshwar Prasad Resident of Mohalla-Kamruddinganj, Town- Bihar, P.s.- Lehari, Distt.- Nalanda at Biharsharif

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Prohibition, Excise and Registration, Govt. of Bihar, Patna
2. The Inspector General of Registration Govt. of Bihar, Patna
3. The District Magistrate-cum-Collector Nalanda at Biharsharif
4. The Additional Collector Nalanda Collectorate, Distt.- Nalanda at Biharsharif
5. The Deputy Collector Land Reforms, Rajgir, Distt.- Nalanda at Biharsharif
6. The Sub Registrar Sub Registry Office, Rajgir, Distt.- Nalanda at Biharsharif
7. The Circle Officer Rajgir Circle, Rajgir, Distt.- Nalanda at Biharsharif

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Bishwa Nath Chaudhary
For the Respondent/s : Mr.Vikash Kumar (Sc11)

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 23-04-2019 Heard learned counsel for the petitioners and learned counsel appearing on behalf of the State.

The petitioners are aggrieved by refusal to register the deed presented by the petitioner for registration.

Learned counsel for the petitioners submits that the Registrar/Assistant Registrar has absolutely no jurisdiction to



enquire into the right, title and interest of the transferor of the land. He submits that a Division Bench of this Court has already laid down the law that the Registrar has to accept the document presented for registration and he has no jurisdiction to enquire into the right, title and interest. He has placed reliance on the judgment of the Division Bench in the case of **Bihar Deed Writers Association vs State Of Bihar And Ors. AIR 1989 Patna 144.**

In view of the law laid down by the Division Bench (supra), the Court does not find any justification in the action of the respondents refusing to register the sale deed. Annexure-8 is accordingly set aside. The Respondent Registrar is directed to register the document at once if otherwise the document is in order.

With the aforesaid, the writ petition stands disposed of.

(Anil Kumar Upadhyay, J)

spandey/-

U			
---	--	--	--

