

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9822 of 2019

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Rajiv Kumar Singh @ Rajiv Singh Son of Sri Ram Chandra Singh Resident
of Village- Bahuari, P.s. Ramgarhwa, Distt. East Champaran

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, State of Bihar, Patna.
2. The Principal Secretary, Department of Revenue and Land Reforms,
Government of Bihar, Patna.
3. The Inspector General (I.G. Registration), Department of Registration,
Government of Bihar, Patna.
4. The Collector, Motihari, East Champaran.
5. The Registrar Motihari, East Champaran.
6. The Sub-Registrar Motihari, East Champaran.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Rakesh Kumar No.1
For the Respondent/s : Mr.Kumar Manish (Sc5)

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 30-04-2019 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

The power of Registrar/Assistant Registrar in the matter of admitting the documents for registration is no more res integra; a Division Bench of this Court has occasion to consider the aforesaid aspect of the matter which has held out that the registering authority have absolutely no jurisdiction to enter into the right, title and interest of the transferor. Reference in this connection may be made to the judgment reported in **AIR 1989 Patna 144**. In addition thereto, in purported exercise of the



direction issued by the Revenue Department dated 20.5.1990, the respondents are not in any manner justified in arbitrarily including the land of the petitioner in the so called register known as “Rok Panji” as the Registration Act does not recognize any such instrument to be a ground for refusal of registration.

Considering the aforesaid, the writ petition is allowed. The order Annexure-3 is quashed. The respondents are hereby directed to accept the document for registration, if otherwise the same is in order. Necessary decision in this regard must be taken by the respondents for registration of the document within a maximum period of 45 days from the date of receipt/production of a copy of this order.

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

(Anil Kumar Upadhyay, J)

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