

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.23836 of 2019

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Pawan Kumar Choudhary, Male, aged about 65 years, Son of Sri Anant Narayan Choudhary, Resident of Village Gandoul, Post Baghwa, Police Station Mahishi (O.P. Jalai), District Saharsa.

... .. Petitioner

Versus

1. The State of Bihar Principal Secretary, Land Reforms and Revenue Department, Bihar, Patna.
2. The Secretary, Land Reforms and Revenue Department, Bihar, Patna.
3. The Divisional Commissioner, Saharsa.
4. The District Magistrate, Saharsa.
5. The District Land Acquisition Officer, Saharsa.
6. The District Registrar, Sadar Circle, Saharsa.
7. The Circle Officer, Block- Mahishi, District- Saharsa.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Pankaj Kumar Jha
For the Respondent/s : Mr.Sajid Salim Khan (Sc25)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 16-12-2019 Heard both sides.

The petitioner in this writ petition seeks relief for a direction to the respondents not to disturb the registration of sale deed presented by the petitioner before the Sub-Registrar, Saharsa with regard to the land of Plot No.1214, Khata No.351, Area 4 decimals.

Learned counsel for the petitioner submits that Land Acquisition Case No.04/2013-14 was initiated for acquisition of lands and notice under Section 21(1) of the Act 30/2013 is issued. 10 decimals lands of the petitioner of Plot No.1214 of



Khata No.351 is included in the notification for acquisition. The petitioner filed objection before the Land Acquisition Authority with regard to the nature of land. The total area of Plot No.1214 is 14 decimals. The petitioner is in need of money and he intends to sell remaining 4 decimals of land after receiving consideration amount. When the petitioner presented the sale deed before the Sub-Registrar, the District Magistrate, Saharsa asked the Sub-Registrar not to execute the sale deed of the petitioner. The petitioner filed representation before the District Magistrate, Saharsa for grant of permission to sell 4 decimals of land of Plot No.1214, Khata No.351.

I find that there is no provision for seeking permission for execution of the sale deed. The petitioner has not stated anywhere that he presented the deed of sale for registration before the Sub-Registrar. The petitioner only states that when he presented the sale deed for registration, the Sub-Registrar did not accept the sale deed.

Having considered the facts, I dispose of this writ petition with a direction to the Sub-Registrar, Saharsa that if any sale deed is presented by the petitioner for registration of any part of his land of Plot No.1214, if the same is not under acquisition vide Land Acquisition Case No.04/2013-14 or the



land is not to be acquired shall pass appropriate order.

With the aforesaid direction, the writ petition is
disposed of.

(Prabhat Kumar Jha, J)

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