

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 8472 of 2018

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Basu Das, Son of Late Ram Chandra Das, Resident of Village- Sidhi Bigha,
P.S.- Chandhauti, District- Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Revenue and Land Reforms, Bihar, Patna.
2. The Inspector General Registration, Bihar, Patna.
3. The District Collector, Gaya.
4. The District Sub-Registrar, Gaya.
5. Circle Officer, Chandauti, Circle, Gaya.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Sanjeev Kumar, Advocate
		Mr. Priya Ranjan, Advocate
For the Respondent/s	:	Mr.Sajid Salim Khan -Sc25

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

3 17-05-2019 Heard learned counsel for the petitioner and the respondents.

2. The issue raised in the present writ application is no more res integra, as this Court has occasion to decide the issue in C.W.J.C. No. 10688 of 2019, which reads as follows:

“Heard learned counsel for the petitioner and the counsel appearing on behalf of the State.

Having regard to the law laid down by the Division Bench in a case reported in AIR 1989 Patna 144, the authorities are under obligation to register document on presentation. The Registrar is not required to enter into the



controversy of right and interest of the transferor. He has to only see whether the document for registration is otherwise in order and once the document is in order it is the duty of the Registrar to register the document on presentation.

Considering the Division Bench judgment which binding on this Court, the Court as directs the District Sub Registrar, Gaya to consider the case of the petitioner for registration and if the document is otherwise in order the same cannot be denied on the ground of enquiry as to the right title and interest of the transferor.

With the aforesaid, the present writ application stands disposed of.”

3. Accordingly, the writ application is disposed of in the light of the order dated 10.05.2019 passed in C.W.J.C. No. 10688 of 2019.

(Anil Kumar Upadhyay, J)

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