

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 1563 of 2016

1. Fabianus Minz S/o Late Shri Istanislas Minz, Aged About 52 Years,
2. Thiyodor Toppo, S/o Late Shri Juliyus Toppo, Aged About 53 Years,

Both are Caste Uraon, Occupation Service, R/o Mohalla Loyola Niketan
Rajeev Vihar, Post S.E.C.L. City Bilaspur, Police Station Sarkanda, District
Bilaspur, Chhattisgarh

---- Petitioners

Versus

1. State Of Chhattisgarh, Through The Secretary, Department Of Revenue,
Mahanadi Bhawan, Naya Raipur, Mantralaya, District Raipur, Chhattisgarh
2. Collector, Bilaspur, District Bilaspur, Chhattisgarh
3. District Registrar, Bilapur, District Bilaspur, Chhattisgarh

---- Respondents

For Petitioners : Shri Surfaraj Khan, Advocate.

For State/Respondents : Shri Amrito Das, Addl. A.G.

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

19.09.2019

Heard.

1. Learned counsel for the petitioners submits that the petitioners wanted to sell their land which is diverted land wherein permission under section 165(6) of the Land Revenue Code is not required since it is diverted land, however the document of sale itself when is placed it is not being physically accepted and the Registrar cannot refuse acceptance of the document, however may refuse to register the same.
2. The grievance of the petitioner is that when the document is physically tendered it is not being accepted. It is further submitted that representation which is made it is not being outrightly accepted. Under the circumstances, as the scheme of the Indian Registration, 1908 Act flows if the sale deed is

tendered, the Sub Registrar shall accept the same and then may act according to the law.

3. With such observation, the petition stands disposed of.

Sd/-

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Goutam Bhaduri
Judge