

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16758 of 2017

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Mukesh Kumar Son of Birendra Chaubey, resident of Village Mirzapur, P.S. Parasa, District- Saran.

... .. Petitioner/s

Versus

1. The State Of Bihar.
2. Principal Secretary, Department of Finance, Govt. of Bihar, Patna.
3. D.I.G Govt. of Bihar, Patna.
4. District Collector, Saran, Chapra.
5. S.P. Saran, Chapra.
6. Sub-Registrar, Registry Office, Sonapur, Saran.
7. Sub-Registrar, Registry office, Marhowrah, Saran.
8. Sub-Registrar, Registry office, Parasa, Saran.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Binod Kumar Adv. Mr. Dhananjay Kishra, Adv.
For the Respondent/s	:	Mr. Manish Kuamr AC to-Aag6

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

3 18-02-2020 Heard learned counsel for the petitioner and learned
counsel for the respondents.

Petitioner has prayed for the following reliefs:

“(i) To direct the respondents to set up a high level enquiry in the matter of registry officer in the Saran District with relates to District registrar office, Chapra, Sub-registrar Officer Sonapur, Sub registrar office Parsa and Sub-registrar Office, Marhowrah where a game of theft of government revenue is



continue from year 2013 to till date.

(ii) To direct the respondent no.2 to take immediate action against the concerned employees who are supporting in the game of theft of revenue at the time of registry in the Saran District.

(iii) To direct the respondents to protect the government revenue through the registry offices in the state of Bihar”.

In the writ petition, petitioner has highlighted the illegality and irregularity being carried out by the officers in the office of Sub-Registrar, Parsa, Marhaura and Sonapur.

Well, except making allegations, petitioner is conspicuously silent as to in what manner defalcations are being carried out and irregularities are being perpetuated.

Be that as it may, from the counter affidavit filed by the State, it is apparent that action has been taken and wherever it was found that the document was insufficiently stamped action stands taken which is evident from the averments made in paragraphs 8,10 and 11 of the counter affidavit, which are being reproduced as under:-

“8. That wherever there is any such case where property is undervalued then there is provision to refer such matter to proper authority vide section 47(A) of Indian Stamp Act, 1899, for realization of the



deficient stamp fees.

10. That it is relevant to mention here that in the case of Most. Girja Kuawar, W/o Late Bharat Chaubey where by the document executed in favour of Smt. Kanti Devi, W/o Shri Chatrbhuj Chaubey was found to be deficient in the stamp fees, A.I.G. Saran Division, Chapra vide memo No. 144 dated 30.05.2015 has issued order for realization of the deficient stamp fees amount and penalty of 10% was also imposed vide order dated 30.05.2015 of AIG, Saran Division in Stamp Case No. 07/2015.

11. That in the light of the order issued by the A.I.G. Saran Division, Chapra, the Sub-Registrar, Parsa, Saran vide letter No. 72, dated 03.07.2015 informed Smt. Kanti Devi for depositing the deficient stamps fees alongwith registration fees with penalty which amounts to Rs. 54,576/- through chalan in the S.B.I. Parsa within 60 days and accordingly the said amount has been deposited by Smt. Kanti Devi by scroll No. 04 dated 07.07.2015.”

In view of the same, we close the present proceeding reserving liberty to the petitioner or any other public spirited person to bring to the notice of the authorities any of the grievances or illegal action and the authorities after complying with the principles of natural justice shall consider and decide



the same in accordance with law, expeditiously, preferably
within a period of six months.

(Sanjay Karol, CJ)

(S. Kumar, J)

veena/rajiv/-

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