

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9410 of 2021

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Nagendra Prasad Chaudhary, son of Late Kishun Prasad Chaudhary,
permanently resident of Ward No. 10, Village-Fulwaria, P.S. Dhaka, District
East Champaran, presently resident of Ward No. 10, Kapara Patti, Bairagania,
P.S. Bairagania, District Sitamarhi.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Principal Secretary, Excise and Prohibition cum Registration Department,
Bihar, Patna.
3. Inspector General of Registration, Excise and Prohibition cum Registration
Department, Bihar, Patna.
4. Commissioner, Tirhut Division, Muzaffarpur.
5. District Magistrate, Sitamarhi.
6. Block Development Officer, Bairagania, Sitamarhi.
7. Circle Officer, Bairagania, Sitamarhi.
8. Sub Registrar, Dhang, Sitamarhi.
9. Ram Udhar Rai, son of Late Rajeshwar Rai, Ward No. 4, Village Bhatauliya,
Circle and P.S. Bairagania, District Sitamarhi.
10. Ram Babu Rai, son of Late Rajeshwar Rai, Ward No. 4, Village Bhatauliya,
Circle and P.S. Bairagania, District Sitamarhi.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Kripa Nand Jha, Advocate Ms. Sandhya Kumari Sinha, Advocate
For the Respondent/s	:	Mr. Vivek Prasad, GP 7

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

(Per: HONOURABLE THE CHIEF JUSTICE)

**(The proceedings of the Court are being conducted by Hon'ble the Chief
Justice/Hon'ble Judges through Video Conferencing from their**



residential offices/residences. Also the Advocates and the Staffs joined the proceedings through Video Conferencing from their residences/offices.)

2 20-07-2021 Shri Arun Kumar, advocate on record, is no more in the land of living. In his place, Shri Kripa Nand Jha, learned advocate, enters appearance on behalf of the petitioner.

Petitioner has prayed for the following relief(s):

i. For quashing of the sale deed bearing Sale Deed No. 1431 Dated 19/06/2019 (Annexure 0 1) registered by Sub Registrar, Dhang, Sitamarhi on the joint name of the respondent no. 9 and 10, Ram Udar Rai and Ram Babu Rai respectively for the land Area 1 dismal situated in ward no. 10 having Jamabandi No. 1456 lying on the name of one Visheshwar Prasad Keshri, pertaining to Khesra No. 1021, Khata No. 654 Tauzi No.925, Thana No. 8, Circle Bairagania, District Sitamarhi, which is stated to be executed by one Sita Devi Kesari in presence of the witnesses namely Satish Prasad Keshari, Shiv Shanker Keshari, Sanjay Kumar Keshari, Santosh Kumar Keshari, Pravin Kumar (whose details as mentioned in the impugned sale deed are given in para no. 5 of this petition), who are fictitious person and are not resident on the address mentioned in the sale deed (Annexure-1) as well as their I.D. Proof reference are not mentioned in the sale deed (Annexure-1) nor are part of sale deed (Annexure-1).

ii. For issuance of direction commanding the respondents to take action against the respondent No. 8, the Sub Registrar, Dhang, Sitamarhi for registration of the



aforesaid alleged sale deed and for lodging the F.I.R. against the persons including respondent nos. 8, 9 and 10 involved in the forged and fabricated registry and execution of sale deed (Annexure-1).

iii. For any other relief or reliefs to which the petitioner is found entitled in the facts and circumstances of the case.”

Learned counsel for the petitioner seeks permission to withdraw the present petition reserving liberty to approach the authority concerned for redressal of the grievances.

Prayer allowed.

The present application is, accordingly, disposed of as withdrawn reserving liberty to the petitioner to file appropriate representation before appropriate authority within a period of four weeks from today. If such a representation is filed by the petitioner within the stipulated time, the authority concerned is directed to consider the same and dispose it of expeditiously and preferably within a period of four weeks thereafter.

Needless to say that while considering such request, principles of natural justice shall be followed and due opportunity of hearing afforded to the parties.

If aggrieved by the said order, the petitioner shall have liberty to approach this Court by way of separate



petition(s), if so required and desired.

Interlocutory application, if any, shall also stand
disposed of.

(Sanjay Karol, CJ)

(S. Kumar, J)

K.C.Jha/-

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