

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2059 of 2022

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Suresh Prasad Gupta Son of Kamal Prasad Gupta Resident of Village- Ward
No.12 Durga Mandir Dullipatti Silanath P.S. Jainagar District- Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principle Secretary, Department of Land Reforms and Revenue, Government of Bihar, Patna.
2. The Registrar General, Bihar, Patna.
3. The Inspector General, Registry, Bihar, Patna.
4. The Asst. Inspector General, Registry Darbhanga Division, Darbhanga.
5. The Registrar, Madhubani.
6. The District Magistrate-cum-Collector, Madhubani.
7. The Additional Registrar, Jainagar, Madhubani.
8. The District Certificate Officer, Madhubani.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Ravi Prakash, Advocate Mr. Vinod Kumar, Advocate Mr. Gagan Deo Yadav, Advocate
For the Respondent/s	:	Mr. Vikash Kumar, SC-11

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL JUDGMENT
(Per: HONOURABLE THE CHIEF JUSTICE)

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(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.)

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Date : 18-11-2022

Heard learned counsel for the parties.

Petitioner has prayed for the following relief(s):-



1. That this is application for issuance of an appropriate writ(s) order(s), direction(s) for quashing the order dated 29.09.2018 passed in stamp case no. 125/2017-18 passed by the Asst. Inspector General Registrar Darbhanga Division Darbhanga and the notices dated 12.10.2019 and dated 03.03.2021 issue by the District Certificate Officer Madhubani whereby and where under petitioner has been directed to deposit Rs. 3,40,818/- within 30 days and further for notice for sending in jail to the petitioner and after quashing the aforesaid order/notices respondents be directed not to disturb the petitioner and to grant any other consequential benefits for which petitioner may be found entitled in accordance with law.

After the matter was heard for some time, learned counsel appearing on behalf of the petitioner, under instructions, states that petitioner may be permitted to prefer an appeal against the impugned order before the Appellate



Authority.

Permission granted.

Shri Vikash Kumar, learned Standing Counsel No. 11 states that if such an appeal is preferred within a period of four weeks from today, issue of limitation, if any, shall neither be raised nor allowed to come in the way of adjudication of the appeal on merits, more so on account of the fact that the issue of limitation stood extended by this Court as also the Hon'ble Supreme Court during the time of Pandemic Covid-19.

Statement accepted and taken on record.

As such, petition stands disposed of in the following mutually agreeable terms:-

(a) Petitioner is permitted to prefer an appeal within a period of four weeks from today;

(b) In the event of appeal being preferred within a period of four weeks from today, the issue of limitation shall not come in the way of adjudication of the appeal on merits;

(c) Opportunity shall be granted to the parties to place on record all essential documents and materials, if so



required and desired;

(d) Petitioner through learned counsel undertakes to fully cooperate and not take unnecessary adjournment;

(e) The Appellate Authority shall decide the appeal on merits, in compliance of the principles of natural justice;

(f) The Appellate Authority shall pass a reasoned and speaking order, within a period of three months from the date of filing of the appeal;

(g) Copy of the reasoned and speaking order passed by the Appellate Authority shall be supplied to the parties;

(h) Equally, liberty reserved to the parties to take recourse to such other remedies as are otherwise available in accordance with law;

(i) We are hopeful that as and when petitioner takes recourse to such remedies, as are otherwise available in law, before the appropriate forum, the same shall be dealt with, in accordance with law and with reasonable dispatch;

(j) We have not expressed any opinion on merits and all issues are left open;

(k) Liberty reserved to the petitioner to challenge the order, before the appropriate forum, if required and



desired.

The instant petition stands disposed of in the
aforesaid terms.

Interlocutory Application(s), if any, stands disposed
of.

(Sanjay Karol, CJ)

(Partha Sarthy, J)

Amrendra/PKP

AFR/NAFR	
CAV DATE	
Uploading Date	21.11.2022
Transmission Date	

