

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3887 of 2019

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1. Bijay Mehta and Anr Both Sons of Late Sita Ram Mehta Resident of Village-Skhar, Post Bara (Gandhar), Police Station Mufassil, District Gaya
 2. Ajay Kumar Badal Both Sons of Late Sita Ram Mehta Resident of Village-Sikhar, PPost Bara (Gandhar), Police Station Mufassil, District Gaya

... .. Petitioner/s

Versus

1. The State of Bihar and Ors through the Principal Secretary, Registration Department, Bihar
2. The Auditor General, Bihar Bihar
3. The Inspector General, Registration, Bihar Bihar
4. The D.I.G., Registration, Bihar Bihar
5. The Asst. I.G. Registration, Bihar
6. The District Magistrate Cum Collector, Gaya Bihar
7. The Registrar, Gaya Bihar
8. The Sub Registrar, Gaya Bihar
9. The Podar Education Sports Trust Podar Centre, 85, Chamarbaug, Post Office Lane, Dr Ambedkar Road Parel, Mumbai-400012

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Kumar Dharendra Pratap Singh
For the Respondent/s : Mr.Anil Kr. Sinha (Ga1)

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

4 26-07-2022 Though the present writ petition has been filed for setting aside the notice dated 10.1.2019 whereby and whereunder the petitioners have been asked to deposit the deficit court fees, however, the learned counsel for the Respondent-State has admitted the fact that the said notice has been issued to the petitioners on the basis of



an audit objection, but no opportunity was granted to the petitioners, to put forth their defence, prior to issuance of the said notice dated 10.1.2019.

Having regard to the facts and circumstances of the present case and considering the admitted fact that no opportunity of hearing was ever granted to the petitioners, prior to issuance of the aforesaid notice dated 10.1.2019 or for that matter the one dated 10.1.2017, referred to in the said notice itself, this Court finds that the impugned notice dated 10.1.2019, issued by the District Sub-Registrar, Gaya, suffers from the vice of non-grant of adequate opportunity to the petitioners as well as non-compliance of the principles of natural justice, hence, is quashed.

The Respondents are granted liberty to proceed afresh, in accordance with law.

The writ petition stands allowed.

(Mohit Kumar Shah, J)

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