

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4043 of 2019

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Vakil Ray S/o Late Mahabir Ray Vill.- Totaha Jagatpur, P.s.- Panapur, Distt. -
Saran at Chhapra

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Department of Registration,
Patna
2. The Collector Saran at Chhapra
3. The Collector cum District Registrar Saran at Chhapra
4. Assistant Inspector General Registration Saran at Chhapra
5. Assistant Registrar Masharak, Saran at Chhapra

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Kumar Binode Bariar
For the Respondent/s : Mr.Anil Kumar Sinha (Ga1)

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 28-06-2022 Though, the present writ petition has been filed seeking quashing of the order dated 29.11.2014 passed in Stamp Case No. 31 of 2013 on the ground that the same is an ex- parte order, but upon the learned counsel for the State having pointed out that despite several notices having been issued to the petitioner, he did not turn up for hearing apart from the fact that an appeal can be filed under section 47A (4) of the Indian Stamp Act, 1899, the learned counsel for the petitioner seeks to avail the said remedy, however, seeks a direction upon the appellate authority to consider the case of the petitioner on merits without being impeded by the issue of limitation.



Accordingly, the present writ petition stands disposed of, however, with liberty to the petitioner to file appropriate appeal against the order dated 29.11.2014 passed in Stamp Case No. 31 of 2013 and in case such an appeal is filed within a period of four weeks from today, the appellate authority shall decide the appeal of the petitioner on merit without being impeded by the issue of limitation.

It is needless to state that during the interregnum period no coercive action shall be taken against the petitioner, however, in case no appeal is filed within a period of four weeks from today, the present order shall stand annulled automatically.

(Mohit Kumar Shah, J)

Tiwary/-

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