

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4214 of 2022

Quamruddin Ansari Son of Late Alisher Miyan, Resident of Ward No. 16,
Bada Pereuwa, P.O. and P.S. - Raxaul, District - East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Department of Prohibition, Excise and Registration.
2. The Collector - Cum - District Magistrate, East Champaran at Motihari.
3. The Additional District Collector, East Champaran at Motihari.
4. The District Sub-Registrar, Raxaul, District East Champaran at Motihari.
5. The Circle Officer, Raxaul Circle, District East Champaran.
6. The Revenue Karmchari, Raxaul Circle, District - East Champaran.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Alok Kumar Agrawal, Advocate
For the Respondent/s : Mr.Vikash Kumar (SC11)

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 13-10-2022 The present writ petition has been filed seeking the following reliefs :-

“(i) For issuance of appropriate writ/ order/ direction to the respondents to remove the restriction on any transfer of the land in question situated at Mauza Jokiyari, Circle Raxaul, District East Champaran having Thana no.-11, Khata no. 241 and Plot no. 611, Area 2 Katha bearing Jamabandi no. 634 standing in the name of the petitioner which is the raiyati land of the petitioner as the respondent without any notice or any opportunity of hearing put a ban/ restriction on the transfer of the aforesaid land over



which the petitioner has got right, title and cultivating possession since about more than 38 years.

(ii) For directing the respondent Circle Officer to submit its report in view of the Memo no. 1746 dated 23.12.2020 of the Additional District Collector, Motihari as the Revenue Karamchari has already made the local inspection of the land in question and submitted its report vide its report dated 13.09.2021.

(iii) For further directing the respondent Collector to direct the District Sub-Registrar to register the land in question as the land was never subject matter of any land acquisition proceeding etc. as reported by the Revenue Karmachari on inspection. ”

At the outset, the learned counsel for the respondent- State has referred to the counter affidavit filed in the present case and has submitted that the District Sub-Registrar, Raxaul, East Champaran at Motihari has already written a letter to the petitioner dated 04.08.2022 to approach the office in question and get the instrument registered since the restriction regarding the land in question, if any, has already stood removed.

In such view of the matter, the present writ petition



stands disposed off with liberty to the petitioner to approach the office of the District Sub-Registrar, Raxaul, East Champaran at Motihari, within a period of four weeks from today, for the purposes of getting the instrument in question registered, whereupon, the District Sub-Registrar, Raxaul, East Champaran at Motihari shall ensure that the instrument in question is registered, within a period of 48 hours, if the same is otherwise complying with the statutory requirements and formalities as also the requisite stamp duty has stood paid.

The writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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