

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6977 of 2022

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1. Saroj Dham S/o Late Shakti Dham, Resident of 278/3, Gali No. 3, Kishanganj, North Delhi.
 2. Nitu Kumari, W/o Rajnish Kumar, Resident of Dhadhaur, P.S. Sikandra, District - Jamui.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Registration and Excise Department, Bihar, Patna.
2. The Inspector General of Registration, Bhagalpur.
3. The District Magistrate, Jamui.
4. The Joint Registrar, Chakai, Sub-Registry, District - Jamui.
5. Ranjeet Kumar Burnwal, Son of Late Ramsharan Burnwal, Resident of Subhash Chowk, Kastar Town, P.S. and District Deoghar.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Satya Prakash Parasar
For the Respondent/s : Mr. Vivek Prasad (Gp7)

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 11-08-2022 Though, the present writ petition has been filed for directing the respondents to register the sale deed in question presented by the petitioner on 19.01.2022, however, it is the stand of the Respondents that no sale deed was presented by the petitioner, nonetheless the learned counsel for the petitioner has sought liberty on behalf of the petitioner to file sale deed afresh, whereupon, it is prayed that the respondents may be directed to register the same forthwith.

It is a well settled law that the registering authority is under an obligation to register the document presented before



him and he has got no jurisdiction to enter into the issue of title at the stage of registration and if a document is otherwise complying with the statutory requirement and formalities and is presented for registration, the registering authority is duty bound to register the same. In this connection, this court would gainfully refer to the judgment rendered in the case of **Bihar Deed Writer Association and others vs. State of Bihar & Ors.**, reported in AIR 1989 Patna 144 and the one rendered by the Division Bench of this Court on 11.02.2022 in CWJC No. 9937 of 2020 (**Satyendra Kumar Singh vs. The State of Bihar & Ors.**).

Having regard to the facts and circumstances of the case and considering the law laid down by this Court in a catena of decisions, the present writ petition stands disposed of with liberty to the petitioner to file fresh sale deed for registration before the appropriate authority, whereupon the same shall be registered forthwith, subject to the same otherwise complying with the statutory requirements and formalities.

(Mohit Kumar Shah, J)

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