

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.97 of 2021

North Bihar Educational Trust G.D. Mishra Path, Patliputra Colony, Patna-13 through its Chairman Dr. Uma Shankar Roy, male, aged about 71 years, S/o Late Deo Narayan Roy, R/o Flat no.-504, Angad Apartment, G.D. Mishra Path, New Patliputra Colony, P.S.- S.K. Puri, P.O.- Patliputra, Patna-13.

... .. Petitioner/s

Versus

1. The State of Bihar Through the Principal Secretary, Excise and Registration Department, Patna.
2. The Inspector General of Registration Bihar, Patna.
3. District Magistrate-cum- District Registrar Muzaffarpur.
4. The Registrar Registration, Muzaffarpur.
5. The Sub- Registrar Registration, Muzaffarpur.
6. The Sub- Registrar (Awar Nibandhak), Sakra, Muzaffarpur.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Suman Kumar, Advocate
For the Respondent/s : Mr.Lalit Kishore (Ag)

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 15-07-2022 The present writ petition has been filed seeking the following reliefs :-

“(i) For issuance of an appropriate writ/ writs, in the nature of mandamus commanding and directing the respondents to fix the lease registration fee for lease of 243.5 decimal land for opening of a proposed Ayurvedic College under the aegis of a non-profitable Organisation (Trust) by the name of North Bihar Educational Trust situated in Mauja 463 at Sakra, Muzaffarpur.

The Inspector General, Registration on



18.12.2017 vide memo no. 94/2015-21 issued guidelines for identification and classification of land but is silent on this issue and as such on 19.08.2020 the petitioner filed a representation to the respondent Sub-Registrar (Awar Nibandhak), Sakra, Muzaffarpur for fixation of Stamp Duty (fee) per decimal for registration of 243.5 decimal land on lease to the petitioner trust which is a non-profit organization but till date the petitioner is waiting for the reply regarding the same.

(ii) For issuance of direction to the respondents to fix registration fee for transfer of agricultural land to non-profitable organization such a Trust and Society to establish educational institutions.”

At the outset, the learned Senior counsel for the petitioner, Sri P.K. Shahi submits that a representation has been filed by the petitioner addressed to the Sub-Registrar (Awar Nibandhak), Sakra, Muzaffarpur i.e. respondent no. 6, however the amount of registration fees to be paid, is not being determined, hence a direction be issued to the respondent no. 6 to determine the amount of registration fees for the purposes of transfer of land in question, by way of lease. The learned Senior counsel also submits that the petitioner would also file a supplementary representation before the respondent no. 6 for



consideration of this case.

Having regard to the limited relief sought for by the petitioner in the present writ petition, this Court grants liberty to the petitioner to file supplementary representation before the respondent no. 6, within a period of two weeks from today and in case, such a supplementary representation is filed, the respondent no. 6 shall consider the same along with the original representation of the petitioner dated 19.08.2020 and pass appropriate orders upon the same, within a period of eight weeks, thereafter.

The writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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