

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12429 of 2022

1. Dilip Kumar Singh son of Late Parmeshwar Singh, Resident of Village - Chamrahra, P.S. - Mahnar, District- Vaishali - 844507. Presently residing at D92, Nirmal Vihar Dichaon Road, Najafgarh, South West Delhi - 110043.
2. Sanjiv Kumar Singh son of Late Parmeshwar Singh, Resident of Village - Chamrahra, P.S. - Mahnar, District Vaishali - 844507.
3. Ranju Devi wife of Valeshwar Singh, Daughter of Late Parmeshwar Singh, Resident of Village Pindauta Buzurg, P.S. - Tisiuta Dharampur, District- Vaishali, 844141.
4. Santosh Kumar Singh son of Late Arvind Kumar Singh, Resident of Village Madhurapur, P.S. Bidupur, District- Vaishali. Presently residing at Karala, Near Radhe Krishna Mandir, P.S. Karala, North West Delhi - 110081.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Prohibition Excise and Registration Department, Govt. of Bihar, Vikash Bhawan Bailey Road, Patna.
2. The Additional Chief Secretary, Prohibition Excise and Registration Department, Govt. of Bihar, Vikash Bhawan Bailey Road, Patna.
3. The Inspector General (Registration), Prohibition Excise and Registration Department, Govt. of Bihar, Vikash Bhawan Bailey Road, Patna.
4. The District Collector, Vaishali.
5. The District Registrar, Vaishali.
6. The Sub-Registrar, Mahnar, District Vaishali.
7. The Circle Officer, Mahnar, District- Vaishali.
8. Amarnath Kumar Singh son of Late Parmeshwar Singh, Resident of Village Chamarhra, P.S. - Mahnar, District - Vaishali- 844507.
9. Rinki Singh wife of Rajesh Kumar Singh, Resident of Village Chamarhra, P.S. - Mahnar, District - Vaishali- 844507.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Prem Ranjan Raj, Advocate
For the Respondent/s : Mr.Vikash Kumar (SC 11)

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 21-12-2022 The present writ petition has been filed seeking the following reliefs :-



“(i) For a direction to the Respondent authorities to abide with the rules framed for the Registration of written instrument by words and spirit and declare all the act of the Respondent authorities done in contradiction of Bihar Registration Rules 2008 and amendment there after, vitiated by fraud and non-est factum and void abinitio.

(ii) For a direction to set aside all the endorsement made under rule 25 of Bihar Registration Rules 2008 by Sub Registrar, Mahnar (Respondent No. 6) in relation to Register the sale deed no 3888 dated 19-7-2022 and cancelled the Registration the said sale (Anenxure-3) done in contravention Rule 19 (1) and Rule 19 (XVII) and Rule 5 (Read with Registration section 21 of the Act 1908) of Bihar Registration Rules 2008, (amended in 2019), as well as section 12, 15, 15A of B.T.Act. Where by and where under it has been specifically mentioned to refuse the registration on the ground of non existence of Jamabandi in the name of seller and/or disclosure of Plot in Jamabandi more over the executants, the seller in the aforementioned sale deed is Amarnath Kumar Singh (Respondent no. 8) had tried to transfer the piece of land of an area 1 decimal of Khata no. 1464 Khesra no. 1079 of Jamabandi no. 1201 however the



Jamabandi no. 1201 is in favour of Harivansh Singh and Parmeshwar Singh and also the online Jamabandi is not disclosing the plot no. 1079.

(iii) For restraining the Circle Officer, Respondent no 7 to create any new Jamabandi carving from Jamabandi no. 1201 of Register II, Chamarhara, Mahnar”

After some arguments, the learned counsel for the petitioners seeks not to press the present writ petition, however, seeks liberty on behalf of the petitioners to avail such other alternative remedies, as are available under the law. Liberty so sought, is granted.

The writ petition stands disposed off as not pressed.

(Mohit Kumar Shah, J)

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