

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3296 of 2018

=====

Bhagwan Das S/o late Karu Sao Resident of Mohalla- Head Manpure, P.S.
Buniyadganj, Town and District- Gaya.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Principal Secretary, Deptt. Of Registration.
2. The District Registrar-cum-Collector, Gaya.
3. The District Sub-Registrar, Registry Office, Gaya.
4. Raju Kumar S/o Hardeo Sao Resident of Mohalla- Barki Delha Dularganj,
Thana Road, Gaya, P.S. Delha, District Gaya.
5. Manoj Sao S/o late Sheo Kumar Sao Resident of Mohalla Manpur, P.S.
Mufasil, District- Gaya.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr.Ray Saurabh Nath, Adv.

For the Respondent/s : Mr.Rewati Kant Raman, AC to SC-11

=====

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

4 16-08-2022 The present writ petition has been filed for quashing

the order dated 10.07.2012 passed by the District Sub-Registrar,

Gaya as also the appellate order dated 17.10.2017 passed by the

District Magistrate, Gaya in Registration Appeal No. 1 of 2013.

The learned counsel for the petitioner has referred to

the order dated 10.07.2012 to submit that merely on whims, the

registration fee has been increased by 9 times for the purposes

of registration of sale deed in question, however, no reason

whatsoever has been stated therein. It is submitted that same is

the position as far as the appellate order dated 17.10.2013 is

concerned.

The learned counsel for the Respondent State has not



been able to controvert the aforesaid submission made by the learned counsel for the petitioner as also has failed to demonstrate as to on what basis the registration fee has been enhanced by 9 times.

Having regard to the facts and circumstances of the case, this Court finds that the order dated 10.07.2012 passed by the District Sub-Registrar, Gaya is a non-speaking order wherein no clear, succinct or cogent reason has been assigned, for arriving at a decision to increase the registration fees by 9 times, which is an indispensable component of a decision making process, hence, the said order dated 10.07.2012 is not sustainable in the eyes of law, thus is quashed.

As consequence of quashing of the original order dated 10.07.2012, passed by the District Sub-Registrar, Gaya, the appellate order dated 17.10.2017 has got no legs to stand, hence, is also set aside.

The writ petition stands allowed.

(Mohit Kumar Shah, J)

Tiwary/-

U			
---	--	--	--

