

IN THE HIGH COURT OF ORISSA AT CUTTACK

WP(C) No.10817 of 2022

Hemanta Sahu & another ***Petitioners***

-versus-

State of Odisha & another ***Opposite Parties***

**CORAM:
THE JUSTICE S.PUJAHARI**

ORDER

13.05.2022

Order

No.

01. 1. This matter is taken up through Hybrid mode.
2. The grievance of the Petitioners in this writ petition is that the District Sub-Registrar, Bargarh, Opposite Party No.2, is not registering the sale deed in respect of Plot No.1110 corresponding to Khata No.529/381 measuring an area of Ac.0.80 dec. of Mouza-Bardol under Bargah Tahasil in the district of Bargarh. Therefore, a direction may be issued to the Opposite Party No.2 to register the same within a stipulated period.

3. It is stated by the learned counsel for the Petitioners that the Petitioners have presented the sale deed before the District Sub-Registrar, Bargarh, Opposite Party No.2 but the District Sub-Registrar is neither registering the same nor giving the refusal memo assigning the reasons. As such, they have come to this Court seeking a direction to register the same.

4. Considering the aforesaid facts and the submissions made, if the Petitioners have presented the sale deed for execution of the same, the District Sub-Registrar has no jurisdiction to keep the sale deed with him, either he has to register the same or if not registerable for any statutory bar, the same is required for return with refusal memo to the Petitioners assigning reasons to them. Since the same has not been done in this case, this Court disposes of the writ petition with a direction to the District Sub-Registrar, Bargarh, Opposite Party No.2, to either register the sale deed by intimating the Petitioners to be present on the date fixed and if the same is not registerable, return the same with refusal memo assigning the reason not later than 15 days from the date of receipt of the certified copy of this order.

5. Urgent certified copy of this order be granted on proper application.

(S. Pujahari)
Judge