

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. .12009 of 2022

Anirudha Sahoo

.....

Petitioner

Mr. Kalpataru Mishra, Advocate

-versus-

State of Odisha and another

....

Opp. Parties

Mr. Swayambhu Mishra,
Additional Standing Counsel

CORAM:

JUSTICE K.R. MOHAPATRA

ORDER

Order No.

05.07.2022

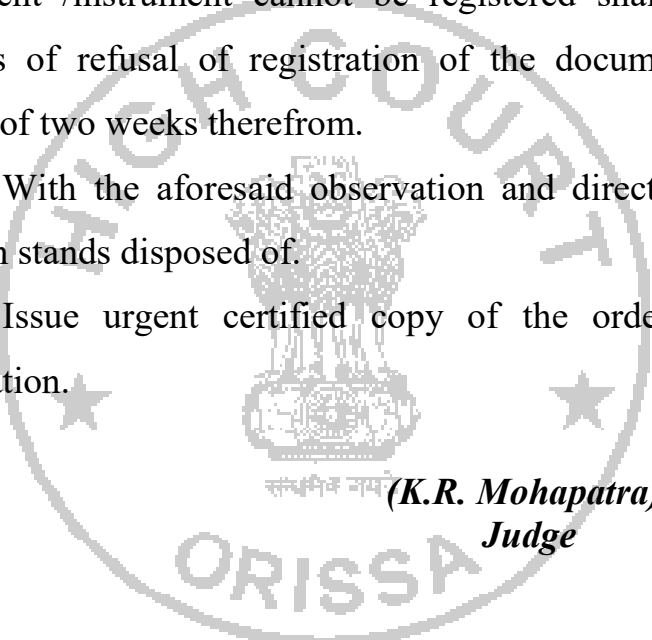
2. 1. This matter is taken up through Hybrid mode.
2. 2. Petitioner in this writ petition seeks for a direction to Sub-Registrar, Sadar, Cuttack (OP No.2) to accept the sale deed pertaining to Plot No.1816 under Khata No.83 to an extent of area Ac.0.06 decimal (out of Ac.0.240 decimal) under mouza Gopalpur in the district of Cuttack presented by the Petitioner forthwith and register the same.
3. 3. Learned counsel for the Petitioner contends that although he has presented documents for registration before the Sub-Registrar, Sadar, Cuttack, he refused to register the same.
4. 4. Section-71 (1) of the Registration Act, 1908 provides that every Sub-Registrar refusing to register a document, except on the ground that the property to which it relates is not situated within his sub-district, shall make an order of refusal and record his reasons for such order in his Book No.2, and endorse the words “*registration refused*” on the document; and, on application made by any person executing or claiming under the document, shall, without payment and unnecessary delay, give him a copy of the reasons so recorded.

5. In view of the clear provision, the petitioner is required to file an application before the Sub-Registrar, Sadar, Cuttack along with the document intended to be registered in original, in order to take further action in the matter. Accordingly, it is directed that in the event the Petitioner files an application within a period of two weeks hence along with the document in original, the Opposite Party No.2-Sub-Registrar, Sadar, Cuttack shall do well to take into consideration the application of the Petitioner and entertain the same. If he is of the opinion that the document /instrument cannot be registered shall supply the reasons of refusal of registration of the document within a period of two weeks therefrom.

6. With the aforesaid observation and direction, the writ petition stands disposed of.

Issue urgent certified copy of the order on proper application.

s.s.satapathy

The seal of the Orissa High Court is a circular emblem. It features a central figure of Lord Venkateswara standing on a lotus pedestal, holding a conch shell and a mace. The figure is surrounded by a circular border containing the text 'ORISSA HIGH COURT' at the top and 'ORISSA' at the bottom. Two stars are positioned on either side of the central figure. Below the central figure, the text '(K.R. Mohapatra)' and 'Judge' are written.
(K.R. Mohapatra)
Judge