

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P. (C) No.20923 of 2010

Aditya Prasad Mishra

.... ***Petitioner***
Mr. M.K. Pati, Advocate

-versus-

State of Odisha and others

.... ***Opp. Parties***
Mr. A.P. Das, ASC

**CORAM:
THE CHIEF JUSTICE
JUSTICE R.K.PATTANAIAK**

ORDER

16.03.2022

Order No.

53.

1. In the present writ petition the grievance is that E-registration of documents has been made mandatory by the Government of Orissa without the corresponding amendments to the applicable statutes.

2. In reply to the present petition, it is pointed out by the State Government that e-registration was undertaken pursuant to the amendments made to the Registration Act, 1908 by the Government of India by the Registration and other related laws (Amendment) (Act), 2001. Correspondingly, amendments were made to the Orissa Registration Rules 1988 by a Notification of the Board of Revenue dated 30th May, 2002. It is stated that the amendments were made to give effect to the e-registration Project. Further, the Inspector General of Registration with the approval of the State Government has amended the Orissa Registration Rules, 1998 by a Notification dated 6th March, 2009 of the Board of Revenue. The Rules now called as the Orissa Registration (Amendment) Rules, 2008. A Gazette

Notification dated 24th September, 2001 containing the above amendment and a copy of the Notification dated 30th May, 2002 have been enclosed with the counter affidavit.

3. If there are still any instances where the e-registration certificate has been declined to be acted upon by any Authority in the State of Odisha on the ground that it is without the backing of a statute, it will be open to the Petitioner to bring such individual instances to the attention of the Court in a fresh petition and seek appropriate directions. With the above clarifications, the present writ petition is disposed of. The pending applications are disposed of.

(Dr. S. Muralidhar)
Chief Justice

(R.K. Pattanaik)
Judge

Kabita