

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.15638 of 2022

Bijaya Kumar Mohanty

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Petitioner

Mr. Sudipto Panda, Advocate
on behalf of Mr. Prasanta Kumar Satapathy,
Advocate

-versus-

State of Odisha and others

....

Opp. Parties

Mr. Dillip Kumar Mishra,
Additional Government Advocate

CORAM:

JUSTICE K.R. MOHAPATRA

ORDER

11.07.2022

Order No.

1. This matter is taken up through Hybrid mode.
2. Petitioner in this writ petition seeks for a direction to Sub-Registrar, Jatni (OP No.3) to accept the sale deed pertaining to Plot No.329/698 (P) under Khata No.220/8 to an extent of area Ac.1.250 decimal under mouza Alkar in the district of Khordha presented by the Petitioner forthwith and register the same.
3. Learned counsel for the Petitioner contends that although he has presented documents for registration before the Sub-Registrar, Jatni, he refused to register the same.
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, Jatni 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.3-Sub-Registrar, Jatni 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

(K.R. Mohapatra)
Judge