

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 22943 of 2022

Bharati Sahoo

.....

Petitioner

Mr. Kshiroda Kumar Rout, Advocate

-versus-

State of Odisha and others

....

Opp. Parties

Mr. Suvashish Pattanaik,
Additional Government Advocate

CORAM:

JUSTICE K.R. MOHAPATRA

ORDER

15.09.2022

Order No.

1. This matter is taken up through Hybrid mode.
2. Petitioner in this writ petition seeks for a direction to Sub-Registrar, Baranga (OP No.2) to accept the sale deed pertaining to Plot Nos.437 and 438 (area Ac.0.150 and 0.140 decimal respectively) of Chaka No.232 and Plot Nos.457 and 459 of (area Ac.0.090 each) of Chaka No.241 under Khata No.57 in mouza Badajharilo under Baranga tahasil in the district of Cuttack 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, Baranga, 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, Baranga 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, Baranga 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