

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 27635 OF 2022

Jayaprakash Sharma

....

Petitioner

Mr. Suryakanta Dash, Advocate

-versus-

***Inspector General of Registration,
Cuttack and others***

....

Opp. Parties

Mr. Swayambhu Mishra,
Additional Standing Counsel
(For Opp. Party Nos.1 and 2)

CORAM:

JUSTICE K.R. MOHAPATRA

ORDER

08.12.2022

Order No.

3.
 1. This matter is taken up through hybrid mode.
 2. The Petitioner in this writ petition seeks for a direction to the Sub-Registrar, Bhawanipatna-Opposite Party No.2 to return the sale deed dated 11th May, 2022 presented by the Petitioner(Vendee) after registration.
 3. Taking into consideration the submission made by learned counsel for the Petitioner, this Court vide order dated 10th November, 2022 directed learned State Counsel to take instruction in the matter.
 4. A counter affidavit has been filed by Opposite Party No.2 stating that there is a shortfall of stamp duty for an amount of Rs.503.00 and registration fee of Rs.2601.00.
 5. Mr. Dash, learned counsel submits that the Petitioner along with the vendor shall take steps to make good the deficiencies in the registration of the sale deed and a direction

may be made for registration of the sale deed after rectification of the defects/deficiencies in the sale deed.

6. Mr. Mishra, learned Additional Standing Counsel, however, referring to the letter dated 16th November, 2022 addressed to the Sub-Registrar, Bhawanipatna by the Petitioner submits that he has requested to cancel the ID in respect of the document presented for registration, so that a fresh sale deed can be executed. Mr. Dash, learned counsel for the Petitioner, however, submits that the Petitioner does not press the said letter addressed to the Sub-Registrar, Bhawanipatna-Opposite Party No.2.

7. In view of the above, the writ petition is disposed of with a direction that in the event, the Petitioner along with the vendor of the sale deed dated 11th May, 2022 remain present before the Sub-Registrar, Bhawanipatna-Opposite Party No.2 within two weeks either physically or through visit to the representative of the Registering Authority, they shall be intimated about the deficiencies for registration of the sale deed and after rectification of the same steps shall be taken for registration.

8. With the aforesaid observation and direction, this writ petition is disposed of.

9. As requested by Mr. Mishra, learned Additional Standing Counsel, a copy of this order be handed over to him for communication and compliance.

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

(K.R. Mohapatra)
Judge