

IN THE HIGH COURT OF ORISSA AT CUTTACK

**W.P.(C) No.39202 Of 2021
(Through hybrid mode)**

Janmohammed Khan

....

Petitioner

Mr. A.K. Panda, Advocate

-versus-

***Director Sub Registrar, Bhadrak
and another***

....

Opposite Parties

Mr. Y.S.P. Babu, AGA

CORAM: JUSTICE ARINDAM SINHA

**ORDER
07.01.2022**

**Order
No.**

2.

1. Mr. Panda, learned advocate appears on behalf of petitioner and submits, his client has filed additional affidavit pursuant to direction in order dated 22nd December, 2021.

2. Text of order dated 22nd December, 2021 is reproduced below.

“1. Mr. Sahoo, learned advocate appears on behalf of petitioner, who wants to sell part of his agricultural land. He submits, the part that his client wants to sell consists of 78 decimals. Registration of the document was refused by impugned office order dated 7th December, 2021. Grounds for refusal stated is, Registration Certificate issued by ORERA was not produced by petitioner. He submits, his client does not require registration under ORERA. He refers to letter dated 29th March, 2018 issued by

ORERA. Serial 5 in enclosure to the letter says that plot area not exceeding 500 square meters does not require registration with ORERA.

2. *Mr. Sharma, learned advocate, Addl. Govt. Advocate appears on behalf of State.*

3. *Petitioner will file additional affidavit stating on oath, area of plot he wants to sell, in square meters. Advance copy of additional affidavit must be given to Mr. Sharma. Affidavit will be accepted on adjourned date.*

4. *List on 7th January, 2022.*

Statements in the additional affidavit are reproduced below.

“1. That I am the petitioner in this case.

2. That I have filed the writ petition for quashing of office order under Annexure-1 dated 7.12.2021 refusing to register a sale deed.

3. That under the registered sale deed vide Annexure-4, I want to sell on area of A0.078 decimals out of plot No.35 under Khata No.410/816 of mouza Isafpur in the district of Bhadrak.

4. That the said area A0.078 decimal is equal to 3400 SQUIRE ft. which is equal to 316 square meters approximately. I swear this affidavit in obedience to

order dated 22.12.2021 passed by this Hon'ble Court.

5. That the facts stated in this Affidavit are true to the best of my knowledge and belief.”

3. Mr. Babu, learned advocate, Additional Government Advocate appears on behalf of State.

4. Opposite party no.1 is directed to register the document, upon presentation by petitioner along with copy of this order. If there is other ground for refusing registration, apart from petitioner not having registration under ORERA, said opposite party will register the document. Otherwise, refusal memo stating reasons should be given to petitioner. This must be done within a week from presentation.

5. The writ petition is disposed of.

(Arindam Sinha)
Judge

Sks