

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) NO. 34474 OF 2022

Alekha Mahananda

....

Petitioner

Mr. Jagabandhu Sahu, Advocate

-versus-

State of Odisha and others

....

Opp. Parties

Mr. Suvashish Pattnaik,

Additional Government Advocate

CORAM:

JUSTICE K.R. MOHAPATRA

ORDER

21.12.2022

Order No.

1. This matter is taken up through hybrid mode.
2. The Petitioner in this writ petition prays for a direction to the Sub-Registrar, Sohela-Opposite Party No.3 and Deputy Inspector General of Registration, Bargarh to release the document bearing Registration No.181200022 dated 4th January, 2022 in his favour within the stipulated time.
3. Mr. Sahu, learned counsel submits that the Petitioner had purchased a piece of land in Plot No. 1656 under M.S. Khata No. 75 situated in mouza Garvana under Sohela Sub-Registrar in the district of Bargarh from the rightful owner, namely, Basanti Gahir, wife of Narayan Gahir. After observing all formalities, the sale deed was registered on 4th January, 2012. In spite of several approaches, the sale deed was not made over to the Petitioner. Thereafter, the Petitioner received a notice dated 16th January, 2012 from the Sub-Registrar, Sohela with regard to deficit stamp duty for registration of the document dated 4th January, 2012. The Petitioner attended the office of Sub-Registrar, Sohela-Opposite Party No.3 on 31st January,

2012. Accordingly, Impound Stamp Case No.01 of 2020 was initiated and the Petitioner was directed to file show cause. On his appearance, the Petitioner was informed that the case record will be transmitted to the office of Deputy Inspector General of Registration (North Division), Sambalpur for final assessment of deficit stamp duty. Subsequently, the Petitioner again received the notice dated 13th February, 2012 from the Deputy Inspector General of Registration, wherein he was directed to deposit the deficit stamp duty of Rs.16,443/- in the Government treasury. Accordingly, the Petitioner made an enquiry in the month of February, 2012 and he was informed that the original document has already been transmitted to the office of Sub-Registrar, Sohela-Opposite Party No.3. Thereafter, the Petitioner is regularly approaching the office of Sub-Registrar, Sohela to ventilate his grievances, but to no effect. The Petitioner has also visited the office of Deputy Inspector General of Registration-Opposite Party No.2 and he was intimated that vide letter No.163 dated 12th March, 2012, the document has already been returned to the office of Sub-Registrar, Sohela-Opposite Party No.3, but the Opposite Party No.3 has informed that he has not received the document. The Petitioner has also sent a pleader notice on 29th November, 2019 in that regard, but to no effect.

4. Since the transactions, as aforesaid, were made in the year, 2012 itself, this Court is not inclined to entertain the writ petition after a lapse of ten years, more particularly when the Petitioner has not explained as to what step he has taken in the

meantime except a pleader notice sent to the Sub-Registrar, Sohela on 29th November, 2019.

5. In that view of the matter, this writ petition is disposed of with an observation that the Petitioner may work out his remedy as may be available under law.

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

(K.R. Mohapatra)
Judge

bks

