

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7507 of 2023

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Baban Singh S/o Mundrika Singh, R/o Village- Tunba, P.O. - Ramdihra, P.S. -
Rohtas, District - Rohtas.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary Department of Revenue
Patna, Bihar.
2. District Magistrate, Rohtas.
3. Additional District Magistrate, Rohtas.
4. Sub-Registrar, Bikramganj, Rohtas.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Vishal Saurabh, Advocate Mr. Rakesh Kr. Singh, Advocate
For the Respondent/s	:	Mr. Vikash Kumar (SC- 11) Mr. Akash Chaturvedi, AC to SC-11

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 07-11-2023 The present writ petition has been filed
seeking the following relief:-

*“1. That this Writ application is
being filed on behalf of above
named petitioner for issuance of
writ or writs in the nature of
Certiorari for quashing the order
dated 31-01-23 passed by the
District Magistrate, Sasaram,
Rohtas in कमी मुद्रांक वाद सं०- 21/2022 by
which the learned District
Magistrate without going through
the records of the case and even*



without applying his independent judicial mind that the report submitted by the Sub-Registrar, Bikramganj, Rohtas clearly says that the stamp duty is collected from purchaser in light of the documents submitted by the seller as well as the Record of the concerned office and the report of office clerk prior to registration of document but even without going through the documentary evidence available on record, directed the Petitioner to pay an amount of Rs 4,73,280/- with fine of Rs. 47,328/-, which is erroneous, perverse and unknown to the law thus it is fit to be set aside."

2. At the outset, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to challenge the aforesaid order dated 31.01.2023, passed by the Collector-cum-District Magistrate, Rohtas (Sasaram) in connection with Deficit Stamp Case No. 21 of 2022, by filing appropriate appeal under Section 47-A(4) of the Indian Stamp Act, 1899. Liberty, so sought, is granted.



3. It is needless to state that in case appropriate appeal is filed within a period of four weeks from today, the appellate authority shall consider the same on merits without being impeded by the issue of limitation and pass a reasoned and a speaking order thereon, forthwith.

4. The writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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