

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12306 of 2022

1. Dilip Kumar Singh S/o Late Parmeshwar Singh Resident of Village- Chamrahra, P.S.- Mahnar, District- Vaishali- 844507. Presently residing at D92, Nirmal Vihar Dichaon Road, Najafgarh, South West Delhi- 110043.
2. Sanjay Kumar Singh S/o Late Parmeshwar Singh Resident of Village- Chamrahra, P.S.- Mahnar, District- Vaishali- 844507.
3. Ranju Devi W/o Valeshwar Singh, D/o Late Parmeshwar Singh Resident of Village- Pindauta Buzurg, P.S.- Tisiuta Dharampur, District- Vaishali- 844141.
4. Santosh Kumar Singh S/o Late Arvind Kumar Singh Resident of Village- Madhurapur, P.S.- Bidupur, District- Vaishali. Presently residing at Karala, Near Radhe Krishna Mandir, P.S.- Karala, North West Delhi- 110081.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Prohibition Excise and Registration Department, Govt. of Bihar, Vikash Bhawan, Bailey Road, Patna.
2. The Additional Chief Secretary, Prohibition Excise and Registration Department, Govt. of Bihar, Vikash Bhawan Bailey Road, Patna.
3. The Inspector General, (Registration), Prohibition Excise and Registration Department, Govt. of Bihar, Vikash Bhawan Bailey Road, Patna.
4. The District Collector, Vaishali.
5. The District Registrar, Vaishali.
6. The Sub-Registrar, Mahnar, District- Vaishali.
7. The Circle Officer, Mahnar, District- Vaishali.
8. Amarnath Kumar Singh S/o Late Parmeshwar Singh Resident of Village- Chamarhra, P.S.- Mahnar, District- Vaishali 844507.
9. Rinki Singh W/o Rajesh Kumar Singh Resident of Village- Chamarhra, P.S.- Mahnar, District- Vaishali 844507.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Prem Ranjan Raj, Advocate
For the Respondent/s : Mr.Vikash Kumar (Standing Counsel-11)

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 02-05-2023 The present writ petition has been filed
seeking the following reliefs:-



“1.(i) For a direction to the respondent authorities to abide with the rules framed for the registration of written instrument by words and spirit and declare all the act of the respondent authorities done in contradiction of Bihar Registration Rules, 2008 and amendment thereafter, vitiated by fraud and non-est factum and void ab initio.

(ii) For a direction to set aside all the endorsement made under Rule 25 of Bihar Registration Rules, 2008 by Sub Registrar, Mahnar (Respondent No. 6) in relation to register the sale deed no. 3888 dated 18-7-2022 and cancel the registration of the said sale deed (Annexure-3), done in contravention of Rule 19 (1) and Rule 19 (XVII) and Rule 5 (Read with Section 21 of the Registration Act, 1908) of Bihar Registration Rules, 2008, (amended in 2019), as well as Sections 12, 15, 15A of B.T. Act, whereby and whereunder it has been specifically mentioned to refuse the registration on the ground of non existence of Jamabandi in the name of seller and/or disclosure of plot in Jamabandi more over the executants, the seller in the aforementioned sale



deed is Amarnath Kumar Singh (Respondent No. 8), had tried to transfer the piece of land of an area 1 decimal of Khata no. 1464, Khesra no. 1079 of Jamabandi no. 1201, however the Jamabandi no. 1201 is in favour of Harivansh Singh and Parmeshwar Singh and also the online Jamabandi is not disclosing the plot no. 1079.

(iii) For restraining the Circle Officer, respondent no 7 to create any new Jamabandi carving out from Jamabandi no. 1201 of Register-II, Chamarhara, Mahnar.”

At the outset, the learned counsel for the petitioners seeks liberty on behalf of the petitioners to approach the respondent authorities with regard to their aforesaid grievances. Liberty so sought is granted.

The writ petition stands disposed off as not pressed.

(Mohit Kumar Shah, J)

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