

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18985 of 2021

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1. Birendra Kumar Das Son of Late Moti Lal Das Resident of Village and P.O. - Bishnupur, P.S. - Amour, District- Purnea, Pin Code - 854315 (Bihar).
 2. Suresh Prasad Saha Son of Late Soukhi Lal Sah Resident of Village - Amour, P.O. and P.S. - Amour, District- Purnea, Pin code - 854315 (Bihar).

... .. Petitioner/s

Versus

1. The State of Bihar through the Inspector General, Registration, Government of Bihar, Patna.
2. The District Magistrate, Purnea, District- Purnea (Bihar).
3. The Assistant Registrar, Purnea, District- Purnea (Bihar).
4. The Assistant Registrar, Dhamdaha, District- Purnea (Bihar).
5. The Sub Registrar, Amour, District- Purnea (Bihar).
6. The Sub Divisional Officer, Purnea, District- Purnea (Bihar).
7. The Treasury Officer, Purnea, District- Purnea (Bihar).

... .. Respondent/s

Appearance :

For the Petitioner/s : Ms.Anu Priyadarshi, Advocate
For the State : Mr.Manish Kumar, AC to AAG-6(Ex)

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

4 08-08-2023 The present writ petition has been filed seeking the following relief(s):-

“1(I) For issuance of a writ in the nature of certiorari for quashing the Order dated 20.04.2021 communicated through the Letter dated 21.09.2021 bearing Memo No. 2193 (Annexure- P/5), passed by the Respondent No.2 by which the Respondent No.2 was pleased to cancel the Licence of Stamp Vendorship of the Petitioners as the Order



impugned is illegal, arbitrary and malafide exercise of power.

(II) For issuance of a writ in the nature of certiorari for quashing the Order dated 20.04.2021 communicated through the Letter dated 21.09.2021 bearing Memo No. 2193 (Annexure- P/5), passed by the Respondent No.2 by which cancelled the the Respondent Stamp No.2 Vendorship Licence of the Petitioners, because while passing the Order impugned the Respondent No.2 completely ignored and discarded the reason assigned in the show cause resulting thereof great prejudice caused to the Petitioners, interference. hence warrants

(III) To issue a writ in the nature of mandamus commanding the Respondent No.2 to restore the Stamp Vendor Licence No.200/1986 (Petitioner No.1) and Licence No.203/1986 (Petitioner No.2) as from bare perusal of the show cause issued upon the Petitioners dated 24.07.2021 bearing Memo No.1734 that there is no averment in the show cause that the Stamp Vendorship Licence of the Petitioners were operated by their respective sons but the Respondent No.02 cancelled the Licence of Stamp Vendorship on the ground that the Kiosk / Licence is are being operated by their respective sons, so the Order impugned warrants interference by this



Hon'ble Court."

At the outset, the learned senior counsel for the petitioners seeks liberty on behalf of the petitioners to challenge the order dated 21.09.2021, passed by the Collector, Purnea by filing appropriate appeal under Rule 14 of the Bihar Deed Writers Licensing Rules, 1996. Liberty so sought is granted.

It is needless, to state that in case appropriate appeal is filed, within a period of six weeks from today, the appellate authority shall consider the same, without being impeded by the issue of limitation and shall pass a reasoned and a speaking order, in accordance with law, within a period of six weeks, thereafter.

The writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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