

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16051 of 2017

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Ali Akbar, S/o Late Ale Navi, Resident of Village- Chak Mahesi, P.S.- Cha Maheshi, District- Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principle Secretary-cum-I.G. Registration
2. The Principal Secretary-cum-I.G. Registration, Department of Registration, Excise and Prohibition of liquor
3. The Deputy Registrar General, Registration, Excise and Prohibition of Liquor.
4. The Joint Registrar, Department of Registration, Excise and Prohibition.
5. The District Magistrate cum Collector, Samastipur.
6. The Treasury Officer, Samastipur.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Md. Shahnawaz Ali, Advocate Mr. Bipin Kumar, Advocate
For the Respondent/s	:	Mr. Pushkar Narayan Shahi, AAG-6

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL JUDGMENT
(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 11-07-2023

The above writ petition challenges the notification dated 03.05.2017 produced as Annexure-3. By Annexure-3, the Stock Holding Corporation of India Limited (for brevity “SHCL”) was authorized to print and sell stamps under e-stamping system in the State of Bihar in accordance with the terms and conditions of the agreement executed between the Inspector General of Registration and SHCL. The said notification also is brought out in exercise of the powers



conferred by Section 2 (26) read with Section 74 of the Indian Stamp Act, 1899.

2. Though the notification is challenged as *ultra vires* of the Constitution of India, there is absolutely no sustainable ground raised. The petitioner, a stamp vendor seems to be more concerned with the livelihood of stamp vendors of the entire State and himself, for which he has also made a representation before the Hon'ble Chief Minister.

3. It has to be accepted that the administration of the Government is being computerized and that provides ease of business as also more transparency and lesser human intervention in the various transactions with the Government. When there are new measures brought in like that of e-stamping for the purposes of registration and other transactions where stamping is required including on the judicial side, it is only natural that the old system has to give way to the new. It is also pertinent that the pandemic situation had opened a new vista of digital activity which has been adopted by the State in its various functions. True, the livelihood of certain persons would be affected but that shall not be a reason or a ground to strike down a valid measure employed to keep abreast of the times and in tune with the technological developments.



4. We find no reason to entertain the writ petition
and dismiss the same.

(K. Vinod Chandran, CJ)

(Partha Sarthy, J)

Anushka/-

AFR/NAFR	
CAV DATE	
Uploading Date	14.07.2023
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