

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2694 of 2018

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Smt. Asha Devi @ Asha Devi Wife of Arvind Kumar Singh Resident of
Village- Kushaha, Pakki Sarai, P.S.- Kahalgoan, District- Bhagalpur.

... .. Petitioner

Versus

1. The State Of Bihar, through the Principal Secretary, Revenue and Land Reforms Department, Government of Bihar, Old Secretariat, Patna.
2. The Inspector General of Registration, Bihar, Patna
3. The Deputy Inspector General of Registration, Bhagalpur Commissionery, Bhagalpur.
4. The District Registrar of Registration, Bhagalpur, District- Bhagalpur.
5. The District Under Registrar of Registration, Bhagalpur , District- Bhagalpur.
6. The District Under Registrar of Registration, Banka, District- Banka.
7. The Under Registrar of Registration, Kahalgaon, District- Bhagalpur.
8. The District Collector, Bhagalpur.

... .. Respondents

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Pandey, Advocate
For the Respondent/s : Mr. Pushkar Narayan Shahi, AAG-6

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 16-02-2023 Heard learned counsel for the parties.

The petitioner has filed the instant application for the
following relief(s):-

*“i. For setting aside the order dated 26.12.2013 passed
in Refer Case No.49 of 2012 by Under Inspector
General of Registration, Bhagalpur Commissionery,
Bhagalpur (Respondent no.3).*

*ii. For setting aside the letter no. 228 dated 07.10.2017
of the Under Registrar of Registration, Kahalgaon,
District- Bhagalpur (Respondent no.7).*



iii. For mandamus directing the respondents concerned to prepare and made ready the deed no. 3434 which were presented on 09.07.2012.

iv. And pass such order as the petitioner is found fit in the facts and circumstances of the case.”

The case of the petitioner in brief is that the petitioner purchased a piece of land which has been described in detail in paragraph no. 4 of the petition and deposited required cost for registration of the sale deed. He subsequently received a letter dated 26.12.2013 written by the respondent no. 3 asking him to deposit the deficit Court fee within the time given therein or else the petitioner would be required to pay interest thereon as stated in the said notice. It is further submitted that the petitioner filed a representation before the District Magistrate on 23.12.2017 which has still not been disposed of.

The application is opposed by learned counsel for the State who submits that there was no occasion for the petitioner to file his representation before the District Magistrate and in fact he should have appeared before the Registration Authority in response to the notice as contained in Annexure-1 and should have placed his case there.

After some argument, learned counsel for the petitioner seeks permission to withdraw this application to appear before



the Registration Authority pursuant to the notice dated
26.12.2013 (Annexure-1).

In view of the above, this application stands
disposed of as withdrawn.

(Partha Sarthy, J)

Shiv/-

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