

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.768 of 2024

=====

Kundan Kumar Dubey Son of Ram Naresh Dubey Resident of Village-Nariyar, P.O.-Nariyar, P.S.-Motipur, District-Muzaffarpur

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary Land Revenue Land Reform Department, Bihar, Patna.
2. The District Magistrate Cum Registrar, Muzaffarpur
3. Sub Registrar, Sub Registry Office, Motipur, Muzaffarpur.
4. Rina Devi Wife of Late Ajay Kumar Resident of Village-Nariyar, P.P.-Nariyar, P.S.-Motipur, District-Muzaffarpur.
5. Aditya Kumar Son of Late Ajay Kumar Resident of Village-Nariyar, P.P.-Nariyar, P.S.-Motipur, District-Muzaffarpur.
6. Kajal Kumari Daughter of Late Ajay Kumar Resident of Village-Nariyar, P.P.-Nariyar, P.S.-Motipur, District-Muzaffarpur.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr.Yugal Kishore, Advocate
For the Respondent/s : Mr.Government Advocate 13

=====

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 15-07-2024 1. The present writ petition has been filed seeking the following relief(s):-

“1. That the present writ petition is being filed for setting aside the order dated 01/09/2023 passed by learned Sub Registrar, Sub Registry Office, Motipur, Muzaffarpur (res. No.- 3) (Annex-3) by which by petition dated 21/08/2023 filed by the petitioner for compulsory Registration under section 35 (1), (c), Read with section 35 (2) of the Registration Act, 1908 has rejected with a direction to the petitioner to file a suit before competent jurisdiction of Civil Court



for declaring legal heir representative, assign and after that he will act upon the petitioner filed by the petitioner and also for issuance of a writ in nature of Mandamus for commanding and directing the respondent no.- 3 to get register sale deed dated 28/06/2021 executed by Ajay Kumar in favour of the petitioner for land bearing Khata no. 639, Khesra no. 3232 area 10.5 decimal and Khata no. 639, Khesra no. 3224, area 10.5 decimal total area 21 decimal situated at village- Nariyar, P.S. Motipur; District - Muzaffarpur in the name of the petitioner”

2. At the outset, the learned counsel for the petitioner seeks not to press the present writ petition, however, seeks liberty on behalf of the petitioner to avail such other alternative remedies as are otherwise available under the law, including that of filing a civil suit before the learned Civil Court having competent jurisdiction, for redressal of his aforesaid grievances. Liberty so sought is granted.

3. The writ petition stands dismissed.

(Mohit Kumar Shah, J)

Saurav/-

U			
---	--	--	--

