

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1077 of 2024

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Manju Mala Devi wife of Dharmendra Kumar Yadav, Resident of White House Compound, Road No. 6A, P.S.-Rampur, District-Gaya, Bihar-823001.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Prohibition, Excise and Registration Department, Vikas Bhawan, Bailey Road, Patna-800001.
3. The I.G. Registration, Prohibition, Excise and Registration Department, Vikas Bhawan, Bailey Road, Patna-800001.
4. The Collector, Gaya.
5. The Additional Collector, Gaya.
6. The Registrar, Registration Office, Gaya Sadar.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Kumar Kaushik, Advocate
For the Respondent/s : Standing Counsel (11)

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH

ORAL ORDER

5 22-08-2024 The present writ petition has been filed seeking the following reliefs:-

“1(i). For issuance of a writ of mandamus directing the respondent No.6 to allow and process the registration of sale deed to be executed by the petitioner, who is the absolute owner of the property admeasuring 57 Decimal bearing Khata No.180 (New), Plot No. 1294 (New)



situated at Village-Ghutiya, P.S.- Chandauti in the District of Gaya.”

2. At the outset, the learned counsel for the petitioner submits that the petitioner has perfected his title, with regard to the aforesaid land, by virtue of judgment dated 02.09.2023 and decree dated 11.09.2023, passed by the learned Sub-Judge (Senior Division), Civil Court, Gaya, Bihar in Title Suit No.112 of 2012/Title Suit No.146 of 2015, wherein the Collector was also a defendant, hence it is submitted that the respondents cannot refuse to register the sale deed with regard to the aforesaid land in question.

3. *Per contra*, the learned counsel for the respondent-State submits, by referring to the counter affidavit filed in the present case, that the respondents are contemplating filing of an appeal against the aforesaid judgment dated 02.09.2023, hence the final outcome of the proposed title appeal be awaited.

4. Having regard to the facts and circumstances of the case, I deem it fit and proper to direct the Registrar, Registration Office, Gaya Sadar to ensure registration of the sale deed with regard to the aforesaid land in question, as and when the same is presented, subject to completion of all formalities and payment of stamp duty/registration charges, which shall be contingent to



the final outcome of the Title Appeal, to be filed by the respondents.

5. The writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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