

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11282 of 2023

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Sandhya Devi @ Sandhya Kumari @ Sandhya Gupta Wife of Pappu Kumar
Gupta, Resident of Village-Bathua Bazar, P.S.-Phulwaria, District-Gopalganj.
... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Prohibition, Excise and Registration Department, Government of Bihar.
2. The Excise Commissioner cum Inspector General, Registration, Prohibition, Excise and Registration Department, Government of Bihar.
3. The Assistant Inspector General, Saran Division, Prohibition, Excise and Registration Department, Government of Bihar.
4. The Auditor General of Bihar, Government of Bihar, Patna.
5. The District Magistrate, Gopalganj.
6. The Sub-Registrar, Phulwaria, District Sub-Registry Office, Gopalganj.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Setu Prateek
For the Respondent/s : Mr.Vikash Kumar (Sc11)

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

4 29-01-2024 Heard the parties.

2. The present application has been filed for quashing of the order dated 11.04.2023 pass in Insufficient Stamp Case No. 9 of 2023 by the Respondent no. 5, the District Magistrate, Gopalganj, in Sub-Registrar, Phulwaria wherein the Respondent No. 5 in the most arbitrary and illegal manner has directed the petitioner to deposit a sum of amount Rupees 607632.00 (Six Lakhs Seven Thousand Six Hundred and thirty Two) as Insufficient Stamp Fees along with a sum of Rupees 3,03,816.00 (Three Lakhs Eight Thousand and Sixteen) as penalty and in total amounting to Rupees 9,11,448.00 (Nine Lakhs Eleven



Thousand Four Hundred and Forty Eight) on a sale deed No. 3544 wherein the petitioner after paying the requisite stamp fees has got registered her sale deed on a plot of land, pertaining to Khata No. 58, Thana No. 641, Tauzi No. 3296, Khesra No. 15 measuring 9 Kattha and 15 Dhur.

3. The petitioner has alternative remedy for filing an appeal against the order dated 11.04.2023 passed in Insufficient Stamp Case No. 09/2023 by the Collector, Gopalganj.

4. The appeal will lie to the Commissioner, Saran.

5. If the appeal is filed within 60 days from today then the same shall be decided on merits by the Commissioner, Saran.

6. If the petitioner deposits 10 % of the disputed amount then the appeal shall be heard and decided on merits.

7. In the above, this application is disposed of.

(Sandeep Kumar, J)

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