

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11006 of 2023

=====

Muneshwar Prasad @ Muneshwar Prasad Kanu S/o Late Shivcharan Gupta,
R/o Mohalla - Mehdhi Hassan Road nunfar, P.S. Brahmpura, Distt. -
Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Registration Department, Bihar, Patna.
2. The Commissioner, Tirhut Division, Muzaffarpur.
3. The Assistant Inspector General Registration, Tirhut Commissioner, Muzaffarpur.
4. The Sub-Registrar, Registration Officer, Motipur, Muzaffarpur.
5. Vaidehi Devi, W/o Late Shailendra Prasad Shrivastava, R/o Village- Bairiya, P.S. Ahiyapur, Distt.- Muzaffarpur.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr.Jai Prakash Verma
For the Respondent/s : Mr.Vikash Kumar (Sc 11)

=====

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

- 4 29-01-2024 1. This is an application for quashing of the order dated 02.12.2021 passed by the respondent no. 3 in case no. 253 of 2016-17 by which the petitioner has been directed to deposit deficit court fee Rs. 6,43,797/- in the concerned office and for quashing of the order dated 25.04.2022 passed in Stamp Appeal Case No. 60 of 2022 by which appeal has been dismissed for default by the learned Commissioner (respondent no. 2 herein) and also for quashing of the order dated 08.05.2023 passed in Misc. (Restoration) Case No. 127 of 2022 by the learned Divisional Commissioner, Muzaffarpur by which



the restoration of the stamp appeal case no. 60 of 2022 has been rejected.

2. The appeal of the petitioner has been dismissed on the ground that the pre-deposit of 50% of the amount has not been done by the petitioner.

3. In the interest of justice, the order dated 25.04.2022 passed in Stamp Appeal Case No. 60 of 2022 by the Commissioner, Tirhut Division, Muzaffarpur is hereby set aside.

4. The petitioner is also given liberty to deposit 10% of the disputed amount, thereafter the appeal of the petitioner shall be decided on merits by the Commissioner.

5. With the aforesaid observation and direction, this application is disposed of.

(Sandeep Kumar, J)

Shishir/-

U			
---	--	--	--

