

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11828 of 2023

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Gupteshwar Mishra Son of Shivdip Mishra Resident of Village- Durgadih,
P.S.- Bikramganj, District- Rohtas Bihar- 802212.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Prohibition and Registration, Govt. of Bihar, Patna.
2. The District Magistrate, Rohtas, Bihar.
3. The Sub Registrar, Bikramganj, Rohtas, Bihar.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Rajesh Shukla, Advocate Mr. Praveen Kumar, Advocate
For the Respondent/s	:	Mr. Vikash Kumar (SC 11)

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

- 4 29-01-2024 1. This is an application for quashing the notice dated 09.12.2022 bearing Letter No. 618 issued by the Sub-Registrar, Bikramganj, Rohtas in Dastavej No. 7439, Token No. 7737 of 2019 whereby and where under, the Sub-Registrar, Bikramganj, Rohtas has called the petitioner to pay the deficit stamp duty of Rs. 45,67,200/- and penalty of Rs. 4,56,720/- on the basis of order dated 22.11.2022 of the District Magistrate, Rohtas within 60 days from the receipt of the notice.
2. Learned counsel for the State has submitted that the petitioner has an alternative remedy of appeal before the Commissioner, Patna.
3. The petitioner is directed to file an appeal before



the Commissioner, Patna against the order dated 22.11.2022 passed by the Collector-cum-District Magistrate, Rohtas at Sasaram in Deficit Stamp Case No. 17 of 2021.

4. If such an appeal is filed within 60 days from today the same shall be decided on merits by the Commissioner, Patna. The Commissioner, Patna will decide all the points raised by the petitioner including the initiation of the proceeding by the officer concerned after the registration.

5. 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, Patna.

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

(Sandeep Kumar, J)

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