

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12466 of 2023

1. Bhuwaneshwar Nath Pathak Son of Late Bhudhi Sagar Pathak Resident of Bankatwa, Police Station- Bagaha, District- West Champaran.
2. Ajaynath Pathak Son of Late Bhudhi Sagar Pathak Resident of Bankatwa, Police Station- Bagaha, District- West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through Additional Chief Secretary, Registrarion, Patna.
2. The Divisional Commissioner, Tirhut Commissionary at Muzaffarpur.
3. The Inspector General of Registration, Patna.
4. The Assistant Inspector General, Tirhut Commissionary, Muzaffarpur.
5. The District Sub-Registrar, Registration Office, Bettiah, West Champaran.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Anand Kishore Choudhary
For the Respondent/s : Mr.Vikash Kumar (Sc11)

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

5 29-01-2024 This is an application for quashing the order dated 06.04.2023 passed in Stamp Appeal Case No. 12 of 2023 by the Commissioner, Tirhut Division, Muzaffarpur by which the appeal was rejected in view of Section 47A(6) of the Indian Stamp Act and further quashing the notice dated 27.11.2021 issued under the signature of District Sub-Registrar, West Champaran, Bettiah.

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

3. In the interest of justice, the order dated



06.04.2023 passed in Stamp Appeal Case No. 12 of 2023 by the Commissioner, Tirhut Division, Muzaffarpur is hereby set aside with liberty to the petitioners to move an application for waiver before the Commissioner and the Commissioner will decide the application for waiver in accordance with law and thereafter, he may hear the appeal.

4. The petitioners are also given liberty to deposit 10% of the disputed amount, thereafter the application 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)

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