

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6660 of 2018

Sunil Kumar Sharma S/o Mishri Lal Sharma, resident of Mohalla- Mauna Sadha Road, P.S.- Chapra Town, Distt. Saran at Chapra.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary-cum-Commissioner, Registration Department, Patna.
2. The District Magistrate, Saran at Chapra.
3. The District Registrar of Registry Department office Saran at Chapra.
4. The Sub Registrar Registry Office, Chapra.
5. The Inspector Registry office, Saran at Chapra.

... .. Respondent/s

Appearance :

For the Petitioner/s : Ms.Rajani Kumari, Adv.
For the Respondent/s : Mr.Kumar Manish, SC-5
Mr.Madan Mohan, AC to SC-5

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 31-08-2024 1. The present writ petition has been filed seeking the following relief(s):-

“1. That this is an application for issuance of writ in the nature of Certiorari to quash the notice dt. 16.1.2018, issued in Stamp Case No. 21/12, in connection with land purchased by the petitioner admeasuring 3 katha, situated at Mohalla- Sadha, District-Saran at Chapra vide Registry No. 7472 on 18.6.2012, after paying sufficient consideration money as well as sufficient stamp before the respondent concerned, however, after some time a notice was issued to the petitioner by the respondent concerned on 15.09.2012 regarding the short stamp paid in registry of the



aforesaid land (Rs.35,940 short stamp). In this regard petitioner has already given reply to show cause issued by the respondent concerned. After lapse of five years again, respondent concerned issued notice to the petitioner stating therein to pay aforesaid stamp fee through e-challan before the office of the respondent concerned otherwise Certificate case would be filed, which is against the law.”

2. At the outset, the learned counsel for the respondent-State has referred to an order dated 29.12.2012, passed by the Ld. Court of Inspector, Registration Office, Saran Division, Chapra (Assistant Inspector General, Registration), in Stamp Case No.21 of 2012 and it is submitted that in case the petitioner is aggrieved by the same, he can prefer an appeal under Section 47-A (4) of the Indian Stamp Act, 1899.

3. In view of the aforesaid, I deem it fit and proper to dispose off the present writ petition, while granting liberty to the petitioner to file appropriate appeal under Section 47-A (4) of the Indian Stamp Act, 1899.

(Mohit Kumar Shah, J)

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