

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1078 of 2024

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Bhaskar Kumar Son of Mithilesh Kumar Singh Resident of Village Nawdiha,
Nawada, P.S. Khaira, Dist. Jamui

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The District Magistrate and Collector, Jamui.
3. The District Additional Registrar, Jamui.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Pankaj Kumar Sinha, Adv.
For the Respondent/s : Mr.Government Pleader 23

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 29-04-2024 1. The present writ petition has been filed seeking the
following relief(s):-

“1. That by the present application, the petitioner invoking extra ordinary Jurisdiction of this Hon'ble Court, prays for issuance of writ/writs in the nature of Mandamus directing the Respondent to stop the recovery of stamp fee Rs. 2,43,495.00/- from the petitioner. Order has been passed on 23.06.2023 by the District Magistrate and Collector, Jamui in Stamp Fee Wasuli Case No. 04 of 2022. In present case one deed was registered in the name of petitioner on 23..12.2021 vide Deed No. 11073 of 2021 after 10 months latter one unknown person in the name of Mithilesh Kumar Singh who is father of the petitioner wrote a letter to District Additional Registrar, Jamui that due to mistake Stamp Fee of



constructed house is not mentioned, therefore fee has not be paid at the time of sale deed.”

2. After some arguments, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to challenge the order dated 23.06.2023, passed in Stamp Duty Recovery Case No.04 of 2022, by filing appropriate appeal under Section 47(4) of the Indian Stamp Act, 1899. Liberty so sought is granted.

3. It is needless to state that in case appropriate appeal is filed by the petitioner, within a period of four weeks from today, the same shall be considered by the Appellate Authority on merits and a reasoned and a speaking order shall be passed, in accordance with law, within a period of eight weeks, thereafter.

4. The writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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