

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.464 of 2021

In
Civil Writ Jurisdiction Case No.7261 of 2021

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1. The State of Bihar through Collector, Chapra, Saran.
 2. I.G. Registration, Government of Bihar, Patna.
 3. District Magistrate-cum-Registrar, Chapra, Saran.
 4. Sub-Registrar, Chapra, Saran.

... .. Appellant/s

Versus

Maya Prasad Wife of Jwala Prasad, R/o - B 14/173, Pharma Apartments,
Patparganj, Plot No. 88, P.S. - I.P. Extension, District East Delhi, presently
residing at C. 424 G and H. NRI City, Pari Chowk, Greater NOIDA, District -
Gautam Budhh Nagar, Uttar Pradesh.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Manish Kumar (A.C. To Ex A.A.G.6)
For the Respondent/s : Mr.Saket Tiwary, Advocate

CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
and
HONOURABLE MR. JUSTICE S. B. PD. SINGH
ORAL JUDGMENT
(Per: HONOURABLE MR. JUSTICE P. B. BAJANTHRI)

Date : 22-04-2025

Re: I.A. No. 02 of 2021

Heard I.A. No. 02 of 2021 for condonation of delay.

There is a delay of about 103 days in filing L.P.A. No. 464 of
2021.



2. For the reasons stated in the application read with the affidavit, delay of about 103 days in filing L.P.A. No. 464 of 2021, stands condoned.

3. Accordingly, I.A. No. 02 of 2021 stands allowed.

LPA No. 464 of 2021

4. The State-appellant has assailed the order of the learned Single Judge dated 18.03.2021 passed in CWJC No. 7261 of 2021.

5. The grievance of the respondents is for registration of a document which was presented for registration before the concerned Registering Authority under the Registration Act. The learned Single Judge has passed the following order:-

“Grievance of the petitioner in the present writ application is refusal to register the document presented by the petitioner for registration.

Learned counsel for the petitioner submits that registering authority under the Registration Act is only obliged to examine whether the document presented for registration is in order or not and the requisition fee has been paid.

The aforesaid aspect was considered by different benches of this Court including this Court in C.W.J.C. No. 2524 of 2018 in which Mr. Puskar Narain Shahi has also appeared on behalf of the State and after hearing Mr. Shahi this Court has disposed of the writ application with a direction to the Registrar, Saran at Chapra to register the document presented by the petitioner within a period of 15 days from the date of



receipt/production of a copy of this order.

In order to maintain consistency, the present writ application is also disposed of in similar terms of C.W.J.C. No. 2524 of 2018 was disposed of vide order dated 19.4.2019.

The Registrar, Saran at Chapra is hereby directed to register the document for registration within a period of 15 days from the date of receipt/production of a copy of this order.”

6. Learned counsel for the appellant could not apprise under which provision of law Registering Authority can withheld registration of a document which has been presented by the respondent.

7. It is learnt that on 16.05.2022, State Government has taken a policy decision to register such of those cancelled or not registered and deferred, the registration of unsurveyed lands.

8. That apart, Hon’ble Supreme Court in the case of ***K. Gopi Vs. the Sub Registrar & Ors (Civil Appeal No. 3954 of 2025) decided on 07.04.2025***, elaborately considered various provisions of the Registration Act and held that Registering Authority is bound to register the document without examining the merits of the registration of document.

9. Taking note of the aforementioned material information, the appellants have not made out a case so as to interfere with the order of the learned Single Judge dated 18.03.2021 passed in CWJC No. 7261 of 2021.



10. Accordingly, LPA stands dismissed.

(P. B. Bajanthri, J)

(S. B. Pd. Singh, J)

ranjan/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	25.04.2025
Transmission Date	NA

