

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9485 of 2024

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Neelam Sinha Wife of Shri Ravi Shankar Sinha Resident of Flat No.- HIG- 3
SFA, Bahadurpur Housing Colony, Bhootnath Road, Police Station- Agam
Kuan, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Prohibition, Excise and
Registration Department, Government of Bihar, Patna.
2. The Inspector General of Registration, Government of Bihar, Vikas Bhawan,
District- Patna.
3. The District Magistrate, Patna, Chhajubag, Near Radio Station, District-
Patna.
4. The Registrar, Registry Office Patna, Chhajubag, District- Patna.
5. The Sub-Registrar, Registry Office, Patna City, District- Patna.
6. The Sub- Registrar, Registry Office Fatua, District- Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Jitendra Kumar
For the Respondent/s : Mr. Government Pleader (27)

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CORAM: HONOURABLE MR. JUSTICE A. ABHISHEK REDDY
ORAL ORDER

3 18-12-2025 Heard the learned counsel for the parties.

The present writ petition has been filed for the
following relief(s):-

*“(a) To issue an appropriate
writ/order/direction in the nature of
mandamus directing the Respondents to
register the deed of rectification for the
registered sale deed dated 21.11.2019
(Annexure-P/1) to Annexure-P/1 to this writ
petition), solely to correct the error
pertaining to the khata number of the vended
plot, where khata number 40 was
inadvertently recorded instead of khata
number 49.*

*(b) To issue a
writ/order/direction in the nature of*



mandamus, directing the Respondents that the petitioner's deed dated 21-11-2019, which does not materially alter the document, may be rectified for an error or omission through a supplementary deed as per the provisions outlined under Rule 24 of the Bihar Registration Rules, 2008. Furthermore, in the interest of justice, the delay caused due to COVID-19 and other unavoidable circumstances in presenting the rectification deed may be condoned.

(c) To grant any other relief/reliefs for which the petitioner is entitled to in the facts and circumstances of the case."

3. Learned counsel for the petitioner submits that the matter is squarely covered by the order of this Hon'ble Court passed in CWJC No. 14143 of 2016 dated 11.03.2019 and the similar relief may be granted to the petitioner.

4. Learned counsel for the petitioner submits that the sale-deed was registered in favor of the petitioner on 21.11.2019 but the description of the land, the khata no. was incorrectly mentioned as "Khata No. 40" in place of "Khata No. 49". Learned counsel submits that the land pertains to Thana No. 29, Khata No. 19, Plot No. 481 and 475 area about 4 khata (12-1/2 decimals). Thereafter, the petitioner after realizing the mistake has approached the Sub-Registrar, Patna on 18/19.03.204 and the Sub-Registrar, Patna has returned the request of the rectification of the sale deed dated 21.11.2019 along with



covering letter no. 132/Registration dated 28.03.2024 (Annexure-P/3). Learned counsel submits that under similar circumstances this Hon'ble Court has condoned the delay and directed the concerned Sub-Registrar to pass necessary orders for rectification of the sale-deed.

5. In the counter-affidavit filed by the respondent Nos. 1 to 6 except stating that the petitioner has approached the authority after lapse of more than one year which is against the provisions of the Bihar Registration Act, 2008, more specifically, Section 24(4), which stipulates a period of one year for making any rectifications in any registered document.

6. This Court in the CWJC No. 14143 of 2016 dated 11.03.2019 has held as under;

“It is submitted by learned counsel for the petitioner that as per Rule 24 of the Bihar Registration Rule, petitioner had made applications dated 10.02.2015 and 25.07.2016 in the office of the Sub-Registrar, Darbhanga and before the Registrar, Registration Office, Darbhanga, respectively vide Annexure-3 series to the present writ application for rectification of error which has taken place due to typographical error. The said applications were made after expiry of one year as provided under proviso 2 of Rule 24 of the Bihar Registration Rule.

Considering the aforesaid facts and circumstances, the respondent no. 3 i.e. The Sub-Registrar, Registry Office, Government of Bihar, Darbhanga, is directed to consider the case of the petitioner and pass necessary order in accordance with law after examining all the relevant documents. The said rectification be made in the Deed in question within a period of sixty days from the date



of receipt/production of copy of this order. The delay in filing of rectification application stands condoned.”

7. Having regard to the same, the impugned letter No. 132/Registration dated 28.03.2024 is set aside and the matter is remanded back to the respondent No. 06 herein (i.e., the Sub-Registrar, Registry Office Fatua, District- Patna) for considering the case of the petitioner afresh duly taking into consideration the orders passed by this Hon’ble Court in CWJC No. 14143 of 2016 dated 11.03.2019 and pass necessary orders after examining all the documents. The authority shall register the rectification sale-deed as expeditiously as possible preferably within a period of sixty days from the date of receipt/production of a copy of this order. The delay in filing of the rectification application stands condoned.

8. With the above direction, the present writ petition stands disposed of.

(A. Abhishek Reddy, J)

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