

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.748 of 2024

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Meera Devi W/o Mohan Prasad, R/o Village- Budhwari Tola, Bagaha Bazar,
P.S.- Bagaha, District- West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Revenue and Land Reforms Department, Bihar.
2. Assistant Inspector General of Registration, Tirhut, Muzaffarpur.
3. District Magistrate, Bettiah, West Champaran.
4. District Sub Registrar, Bettiah, West Champaran.
5. District Certificate Officer, Bettiah, West Champaran.
6. Circle Officer, Bagaha, West Champaran.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Bimlesh Kumar Pandey, Adv.
For the Respondent/s	:	Mr. Government Pleader 25
For the State	:	Mr. Ramadhar Singh, GP-25

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

16 19-03-2025 The present writ petition is filed challenging the order dated 28.03.2016 passed by the Assistant Inspector General of Registration, Tirhut, Muzaffarpur.

2. Learned counsel for the petitioner has stated that the impugned order is passed by the Assistant Inspector General of Registration, Tirhut, Muzaffarpur (Respondent No. 2) without furnishing the enquiry report and also subsequently the impugned order dated 28.03.2016 was not served on the petitioner, therefore, the petitioner was unaware of the passing of the said order. That the petitioner came to know about the



passing of the order only when the Certificate Officer has initiated certificate proceedings against the petitioner. Learned counsel has stated that the act of the Respondent No. 2 in passing the order without following the principles of natural justice and equity is liable to be set aside and prayed this Hon'ble Court to allow the present writ petition.

3. In the second supplementary counter affidavit filed by the respondents, the factum of non- serving of the order dated 28.03.2016 has not been denied. Further, the authorities have also expected that the enquiry report has not been furnished to the petitioner.

4. Having regard to the above made submissions in the second supplementary counter affidavit, this Court has no other option but to set aside the impugned order and remand the matter back to the Assistant Inspector General of Registration, Tirhut, Muzaffarpur (Respondent No. 2) for passing orders afresh. The authority before passing orders shall put the petitioner on notice and serve a copy of the enquiry report on which they rely on and given an opportunity to the petitioner to file his explanation to the said show cause notice. After receipt of the explanation from the petitioner within the time frame granted by the authority, the authority shall pass a reasoned



order duly taking into consideration the explanation submitted by the petitioner.

5. It is needless to mention that before passing any order, the petitioner shall be given an opportunity of hearing. The entire exercise shall be completed as expeditiously as possible preferably within a period of twelve weeks from the date of receipt of copy of this order.

6. Having regard to the fact that the impugned order dated 28.03.2016 is set aside and the certificate proceedings bearing Certificate Case No. 59/2017-18 are also quashed.

7. With the above directions, the present writ petition stands disposed of.

(A. Abhishek Reddy , J)

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