IN THE HIGH COURT OF ORISSA AT CUTTACK
W.P.(C) No.34139 of 2025
(An application under Articles 226 and 227 of the Constitution of India, 1950)

Bijaya Laxmi Sarangi .... ***Petitioner***

-versus-

State of Odisha and others .... ***Opposite Parties***

Appeared in this case by Hybrid Arrangement

(Virtual/Physical Mode):

For Petitioner **-** Mr. B. Panda,
Advocate.

For Opposite Parties - Mrs. J. Sahoo,
Addl. Standing Counsel

CORAM:
HON'BLE MR. JUSTICE A.C.BEHERA

Date of Hearing and Judgment :17.12.2025

A.C. Behera, J. This writ petition under Articles 226 and 227 of the Constitution of India, 1950 has been filed by the petitioner praying for directing the Sub-Registrar, Bhubaneswar (O.P. No.4) to receive the deed for sale of the petitioner for registration, because O.P. No.4 orally refused to receive the deed for sale of the petitioner for registration. For which, without getting any way, the petitioner filed this writ petition.

2. Heard from the learned counsels of both the sides.

3. The law is very much clear that, the Sub-Registrar cannot orally refuse to receive any document/deed, when the same is presented for registration. He/she is either to register the document/deed or to refuse to register the same indicating the reasons in writing for the non-registration of the same, if that document is not legally fit for registration.

According to The Registration Act, 1908 and The Orissa Registration Rules, 1988, when a document is presented for registration, it is the duty of the Sub-Registrar to receive the same, but, if the said document is not in compliance with the provisions of law, the Sub-Registrar may refuse to accept that document for registration assigning the reasons in writing about the same.

4. On this aspect, the propositions of law has already been clarified in a decision between ***North East Infrastructure Private Limited and Ors. Vrs. The State of Andhra Pradesh and Ors.*** reported in ***2025 (2) Civ.C.C. 220 (Andhra Pradesh)*** and in a case between ***Antaryami Nayak Vs. State of Odisha & Others in WP(C) No.18548 of 2025 decided on 11.07.2025*** that,

> *"The Sub-Registrar/Registrar, cannot orally refuse to receive the document and would consider the fitness of it for registration or otherwise. Section 71 of the Registration Act, 1908 empowers the Registration Authorities to receive a document which is presented for registration and process the same."*

5. When it is the settled propositions of law that, the Sub-Registrar cannot orally refuse to receive any deed for sale if presented before

him/her for registration but after receiving the same, he/she is to act upon the same as per The Indian Registration Act, 1908 and The Orissa Registration Rules, 1988 and when it has been alleged by the petitioner that, the Sub-Registrar, Bhubaneswar (O.P. No.4) orally refused to receive the deed for sale of the petitioner and when the petitioner has not annexed the draft copy of the sale deed with the writ petition, then at this juncture, it is felt proper to dispose of this writ petition finally directing the Sub-Registrar, Bhubaneswar (O.P. No.4) to receive the deed for sale of the petitioner, if the same is presented by the petitioner annexing the certified copy of this Judgment before the Opp. Party No.4 and to act upon the same as per The Indian Registration Act, 1908 and The Orissa Registration Rules, 1988.

6. Therefore, this writ petition filed by the petitioner is allowed.

The Sub-Registrar, Bhubaneswar (O.P. No.4) is directed to receive the deed for sale, if presented by the petitioner before the Opp. Party No.4 for registration and to Act upon the same as per The Indian Registration Act, 1908 and The Orissa Registration Rules, 1988.

7. As such, this writ petition filed by the petitioner is disposed of finally.

(A.C. Behera),
Judge.

Orissa High Court, Cuttack.
17.12.2025//Utkalika Nayak//
Junior Stenographer

Signature Not Verified
Digitally Signed
Signed by: UTKALIKA NAYAK
Reason: Authentication
Location: High Court of Orissa, Cuttack
Date: 18-Dec-2025 11:17:20