

IN THE HIGH COURT OF JHARKHAND AT RANCHI
W. P. (C) No. 3514 of 2022

1. Renu Singh, W/o Late Girish Prasad Singh, R/o M.I.G. 15 Housing Board Colony, Dipurgarha Hazaribagh, P.O.-Hazaribagh, P.S.-Sadar, Dist.-Hazaribagh
2. Reshmi Kumari, D/o Hiralal Kushwaha, R/o Ashram Road, P.O.-Jhumri Telaiya, P.S.-Telaiya, Dist.-Koderma Petitioners

Versus

1. State of Jharkhand
 2. Deputy Commissioner, Koderma, P.O., P.S. & Dist.-Koderma
 3. District Sub Registrar, Koderma, P.O. P.S. & Dist.-Koderma
 4. Circle Officer, Koderma, P.O., P.S. & Dist.-Koderma
- Respondents

CORAM: HON'BLE MR. JUSTICE GAUTAM KUMAR CHOUDHARY

For the Petitioners : Mr. Sandeep Verma, Advocate
 For the State : Mr. Binit Chandra, AC to AAG-III

Oral Order

07 / Dated : 12.06.2025

Heard the parties.

1. The instant writ petition has been filed under Article 226 of the Constitution of India for direction upon the Sub-Registrar, Koderma to register the sale deed of the petitioners with respect to the land measuring area 4 decimal appertaining to Plot No. 22 under Khata No. 46/48 situated at Village Nawada P.S.-Telaiya, Dist.-Koderma and quashing the office order dated 29.09.2011 issued by the Deputy Commissioner, Koderma prohibiting the transfer of several plots of land including the land of the petitioners, as detailed above.

2. It is submitted by the learned counsel for the petitioners that sale deed was presented before the Sub-Registrar, Koderma for registration which has been refused for the reason that it figures in the prohibited list as per Memo No. 2620 dated 29.09.2011 of the Deputy Commissioner, Koderma. It is also submitted that the above stated memo by which restriction had been imposed on the registration of land fell for consideration before this Court in W.P.(C) No. 4452 of 2017 and W.P.(C) No. 4621 of 2021. In both these writ petitions, the order imposing restriction on registration was held to be not sustainable and accordingly,

direction for registration was given. The instant case is on the same footing.

3. It is further submitted that in the said memo, the plot number and khata number do not figure at Serial No. 10 but the only revenue Thana No. 249 has been mentioned and area 84.18 acres has been mentioned without any reference to khata number and the plot number.

4. The present case is squarely covered by the order passed by this Court in W.P.(C) No.4621 of 2021 and W.P.(C) No.4452 of 2017 where in it has been held that Deputy Commissioner cannot impose a blanket restriction on the registration of land. There is no specific reason to put the land of the petitioners in the prohibited list.

5. Under the aforesaid facts and circumstance, the Sub-Registrar, Koderma (R-3) is directed to register the sale deed of the petitioners with respect of the aforesaid lands.

6. Further, Memo No.2620 dated 29.09.2011, issued by Deputy Commissioner Koderma, shall not come in way to the registration of sale deeds and shall not be refused by referring to this memo if the other conditions are satisfied.

Writ Petition is accordingly disposed of.

Pending I.A., if any, also stands disposed of.

(Gautam Kumar Choudhary, J.)

AKT/Satendra