

Rajasthan High Court

Manohar Singh vs Sub. Registrar Mandal Garh, ... on 3 July, 2000

Equivalent citations: 2000 (4) WLC 614, 2000 (3) WLN 95

Author: Shethna

Bench: B Shethna

ORDER Shethna, J.

(1). Only on the short ground of violation of principles of natural justice, the impugned order dated 20.3.99 (Annex.7) passed by the Sub-Registrar, Mandalgarh is required to be quashed and set aside as before passing that order, no opportunity was extended to the petitioner.

(2). However, an attempt was made by the learned counsel Mr. Vishnoi for the respondents that there was a mistake in passing the earlier order and the said mistake was rectified subsequently, therefore, no notice was required to be given to the petitioner.

(3). I am afraid that this submission of Mr. Vishnoi cannot be accepted because according to the respondents, it may be a mistake but it was a mistake for which the petitioner was required to be heard. If an opportunity was extended to the petitioner before passing the impugned order, he could have pointed out that no mistake was made earlier.

(4). Accordingly, this writ petition is allowed and the impugned order dated 20.3.99 is set aside.

(5). However, it is made clear that the respondent no.1 Sub- Registrar, Mandalgarh is at liberty to pass fresh order only after extending an opportunity of hearing to the petitioner.

(6). Stay petition is also disposed of.