IN THE HIGH COURT OF JHARKHAND AT RANCHI

W.P.(C) No.1117 of 2018

Akhilesh Kumar Bharti @ Akhilesh Bharti, son of Late Jag Mohan Bharti, resident of 3432, Sanjay Gandhi Path, Ward No.8, Lohardaga, P.O., P.S. & District Lohardaga. **... ... Petitioner**

Versus

1. The State of Jharkhand.
2. The Secretary, Department of Excise and Prohibition, Government of Jharkhand, having office at Engineering Bhawan, HEC, Dhurwa, P.O. Dhurwa, P.S. Jagannathpur, District Ranchi.
3. The Commissioner of Excise, Government of Jharkhand, having office at Engineering Bhawan, HEC, Dhurwa, P.O. Dhurwa, P.S. Jagannathpur, District Ranchi.
4. The Deputy Commissioner, Lohardaga, P.O. & P.S. Lohardaga, District Lohardaga.
5. The Superintendent of Excise, Gumla, Lohardaga-cum-Simdega, P.O. & P.S. Lohardaga, District Lohardaga.

... ... Respondents

WITH

W.P.(C) No.1113 of 2018

Manmohan Bhagat, son of Late Thakur Bhagat, resident of Birbal Lane, Ward No.10, Lohardaga, P.O. & P.S. Lohardaga, District Lohardaga. **... ... Petitioner**

Versus

1. The State of Jharkhand.
2. The Secretary, Department of Excise and Prohibition, Government of Jharkhand, having office at Engineering Bhawan, HEC, Dhurwa, P.O. Dhurwa, P.S. Jagannathpur, District Ranchi.
3. Commissioner of Excise, Government of Jharkhand, having office at Engineering Bhawan, HEC, Dhurwa, P.O. Dhurwa, P.S. Jagannathpur, District Ranchi.
4. Deputy Commissioner, Lohardaga, P.O. & P.S. Lohardaga, District Lohardaga.
5. Superintendent of Excise, Gumla, Lohardaga-cum-Simdega, P.O. & P.S. Lohardaga, District Lohardaga.

... ... Respondents

WITH

W.P.(C) No.1114 of 2018

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1 (a). Manoj Varma, S/o Late Mohan Ram Varma, resident of Raghunandan Lane, Lohardaga, P.O. & P.S. Lohardaga, District Lohardaga.

1 (b). Parmila Devi, D/o Late Mohan Ram Varma, W/o Rajendra Kumar Singh, resident of House No.43 Road No.3 ext, New Ranikudar, Kadma, P.O. & P.S. Kadma, District East Singhbhum, Jharkhand.

1 (c). Meena Devi, D/o Late Mohan Ram Varma, W/o Gautam Verma, resident of House No.99, Amrit Nagar, Ward No.3,

Kabre Kalan, Korrah, P.O. & P.S. Korrah, District Hazaribagh, Jharkhand.

1 (d). Lalita Devi, D/o Late Mohan Ram Varma, W/o Ravi Ranjan Ram, resident of Piska More, Vikas Nagar, Hehal, P.O. & P.S. Hehal, District Ranchi, Jharkhand.

1(e). Satish Ram Verma, S/o Late Mohan Ram Verma, resident of Raghunandan Lane, Lohardaga, P.O. & P.S. Lohardaga, District Lohardaga.

1(f). Abhay Verma, S/o Late Mohan Ram Varma, resident of Raghunandan Lane, Lohardaga, P.O. & P.S. Lohardaga, District Lohardaga.

... ... Petitioners

Versus

1. The State of Jharkhand.
2. The Secretary, Department of Excise and Prohibition, Government of Jharkhand, having office at Engineering Bhawan, HEC, Dhurwa, P.O. Dhurwa, P.S. Jagannathpur, District Ranchi.
3. The Commissioner of Excise, Government of Jharkhand, having office at Engineering Bhawan, HEC, Dhurwa, P.O. Dhurwa, P.S. Jagannathpur, District Ranchi.
4. The Deputy Commissioner, Lohardaga, P.O. & P.S. Lohardaga, District Lohardaga.
5. The Superintendent of Excise, Gumla, Lohardaga-cum-Simdega, P.O. & P.S. Lohardaga, District Lohardaga.

... ... Respondents

CORAM : SRI ANANDA SEN, J.

For the Petitioner(s) : Mr. Prabhat Kr. Sinha, Advocate

For the Respondent(s) : Mr. Amitesh Kumar Geasen, AC to AAG-IA

17/ 31.08.2026

Heard learned counsel representing the petitioners and learned counsel representing the respondents.

2. In these writ petitions, the petitioners have prayed for quashing of impugned Letters dated 20.11.2017, whereby a demand of money was raised, towards purported loss of revenue due to failure to lift stock in accordance with the prescribed quota for the shops settled with the petitioners.

2.1. The petitioners have also prayed for refund of security deposits, which were deposited for different Groups and forfeited by the respondents towards part realization of the aforesaid demand;

along with interest @ 18% per annum.

3. On query, it has been submitted by learned counsel representing the petitioners that Certificate Proceeding has already been initiated.

4. Since the Certificate Proceeding has already been initiated, I am not inclined to exercise my jurisdiction under Article 226 of the Constitution of India.

5. The petitioners are directed to file a petition under Section 9 of the Bihar and Orissa Public Demands Recovery Act and appear before the Certificate Officer, taking all the points available to the petitioners, within six weeks from today itself, along with a copy of this order, denying their liability.

5.1. Once the petitioners appear within six weeks, with all the documents, the Certificate Officer, after hearing the petitioners, will pass an appropriate order in terms of Section 10 of the Bihar and Orissa Public Demands Recovery Act.

5.2. If the petitioners do not appear before the Certificate Officer, it will be open to the Certificate Officer, to proceed and confirm the Certificate and thereafter recover the amount by taking all coercive steps.

5.3. If the Certificate Proceeding has already been disposed of, the petitioners will be at liberty to file an appeal by taking all their grounds.

6. With the aforesaid observations and directions, this Writ Petitions stand **dismissed**.

(ANANDA SEN, J.)

31st August, 2026
Prashant. Cp-2

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