

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.2499 of 2014

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Rajiv Ranjan Prasad Sinha, son of Late Shyam Narayan Sinha, Durgeshwari Sadan, Mohalla Katira (Ara), Police Station and P.O. Nawada, District Bhojpur, Formerly Block Welfare Officer, Biraul (Darbhanga) At Present Circle Officer, Sheikhpura, District Sheikhpura

.... Petitioner/s

Versus

1. The State Of Bihar
2. Regional Manager, Punjab National Bank, Ara, Police Station Nawada, Bhojpur
3. Branch Manager, Punjab National Bank, Ara Police Station Nawada, Bhojpur
4. District Certificate Officer, Ara, (Bhojpur)

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Santosh Kumar Verma, Advocate.
For the State : Mr. Narendra Kumar, AC to SC-22
For the Bank : Mr. Kumar Priya Ranjan, Advocate.

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 14-12-2015

Heard learned counsel for the petitioner, learned counsel for the State and learned counsel for the Bank.

2. It is submitted on behalf of the petitioner that the entire proceedings in Certificate Case No. 5 of 2012-13 against the petitioner in terms of Section 7 of the Bihar & Orissa Public Demands Recovery Act (for short, "the Act") for recovery of the dues amounting to Rs. 6,62,896/- are wholly illegal and liable to be quashed.

3. It is further submitted that an objection petition under Section 9 has already been filed which is pending before the Certificate Officer.

4. With the consent of the parties, the present writ petition is disposed of with direction to the Certificate Officer, Ara to consider and dispose of the objection under Section 9 of the Act said to have been filed by the petitioner, on its own merits, in accordance with law and in terms of Section 10 of the said Act within a period of four weeks from the date of receipt/production of a copy of this judgment.

5. It is made clear that until disposal of such petition, the Certificate Officer, Ara shall not resort to any coercive action for recovery of the dues against the petitioner in Certificate Case No. 5 of 2012-13.

6. The writ petition stands disposed of.

(Vikash Jain, J)

Md. Ibrarul/-

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