

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5678 of 2015

=====

M/s Shree Sarswati Jee Rice Mill, situated at village- Sahejani Nonar,
Police Station- Hasan Bazar, District- Bhojpur, through its Proprietor Sri
Mohan Kumar Rai.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The District Magistrate, Bhojpur.
3. The District Certificate Officer, Bhojpur.
4. The District Manager, State Food Corporation Bhojpur at Ara.

.... Respondent/s

=====

with

Civil Writ Jurisdiction Case No.6053 of 2015

=====

M/s Maa Vaishnavi Rice Mills through its Proprietor, Nagendra Singh son
of Sher Bahadur Singh, resdient of village- Pipardih, Police Station- Agiaon
Bazar, District- Bhojpur.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The District Magistrate, Bhojpur.
3. The District Certificate Officer, Bhojpur.
4. The District Manager, State Food Corporation Bhojpur at Ara.

.... Respondent/s

=====

with

Civil Writ Jurisdiction Case No.6141 of 2015

=====

M/s Maa Basmati Rice Mill, situated at Moapkala, Police Station- Chauri,
District- Bhojpur through its Proprietor Narendra Kumar Tiwari, son of Late
Harinarayan Tiwari, resident of village- Moapkala, Police Station-
Moapkala (Chauri), District- Bhojpur.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The District Magistrate, Bhojpur.
3. The District Certificate Officer, Bhojpur.
4. The District Manager, State Food Corporation Bhojpur at Ara.

.... Respondent/s

=====

Appearance :

(In CWJC No.5678 of 2015)

For the Petitioner : M/s. Rahul Nath and

Sanjay Kumar, Advocates
For B.S.F.C. : Mr. Shailendra Kumar Singh, Advocate
For the State : Mr. Raj Nandan Prasad, S.C.9
(In CWJC No.6053 of 2015)
For the Petitioner : Mr. Rahul Nath, Advocate
For B.S.F.C. : M/s. Shailendra Kumar Singh and
Awadhesh Kumar, Advocates
For the State : Mr. Parmeshwar Vishwakarma, A.C. to G.P.28
(In CWJC No.6141 of 2015)
For the Petitioner : Mr. Rahul Nath, Advocate
For the B.S.F.C. : Mr. A.N. Rai, Advocate

=====

CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
ORAL ORDER

2 15-05-2015

The common grievance of the petitioners in all the writ petitions is that the certificate under Section 7 of the Bihar & Orissa Public Demands Recovery act, 1914 is undated, a copy of the certificate was not supplied with the same and there is no fixed date expressed in the notice on which the petitioners were required to appear and file their objections.

It has been jointly pointed out by the parties that the issue raised in the writ petitions has already been considered and decided vide the order dated 20.02.2015 passed in C.W.J.C. No.972 of 2015 and analogous matters and these writ petitions can also be disposed of in terms thereof.

Accordingly, all the writ petitions are being allowed in terms of the aforesaid order passed by this court. The notice and certificate both are quashed and set aside in view of non compliance of the provision under Section 7 of the Act. The matter is remitted back to the Certificate Officer, Bhojpur at Ara

to proceed in the certificate case afresh in accordance with law.

These writ petitions stand allowed to the extent as indicated above.

(Dr. Ravi Ranjan, J)

N.H./-

U			
---	--	--	--