

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.459 of 2014

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Renu Devi W/O Late Rama Kant Singh @ Rama Kant Sharma Resident Of
Village- Ramchandrapur, P.S- Pipariya, District- Lakhisarai.

.... Petitioner

Versus

1. The State Of Bihar, Through Collector/ District Magistrate, Lakhisarai.
2. Collector/ District Magistrate, Lakhisarai.
3. Up- Vikash Ayukt(D.D.C.), Lakhisarai.
4. Sub- Divisional Magistrate- Cum- Certificate Officer, Lakhisarai.
5. Executive Engineer, Gramin Vikas Vibhag, Visesh Parmandal, Lakhisarai.
6. Block Development Officer (B.D.O), Pipariya, Lakhisarai.

.... Respondents

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Appearance :

For the Petitioner : Mr. P.P.N. Sahi, Advocate
For the State : Mr. Dhurendra Kumar, Advocate

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
ORAL ORDER

2 02-02-2015 The petitioner seeks expeditious disposal of the
Certificate Case No.43 of 2011-12.

Learned counsel for the petitioner contends that the
present Certificate Case No.43 of 2011-12 has been initiated
against the widow as the husband of the petitioner has died.

It is submitted that the petitioner's husband was a
P.D.S. dealer and when he died, the petitioner was granted license
on the basis of compassion. However, it is contended that, after
grant of license, any certificate case cannot be instituted against
her for realization of the alleged dues of her husband. It is further
contended that objections have been filed on her behalf under

Section 9 of the Bihar & Orissa Public Demands Recovery Act, 1914, on 4th January, 2012 itself but that has remained pending as no decision under Section 10 of the Act has been taken by the Certificate Officer till date for the reason that the authority concerned has refrained or shirked from filing a rejoinder to the objection.

However, counter affidavit filed on behalf of the State now discloses that a rejoinder has already been filed on 15.7.2014, i.e., during the pendency of this writ application.

In above view of the matter, this writ application is being disposed of with a direction to the respondent no.4 to consider and dispose of the objection filed by the petitioner on its own merit and in accordance with law after considering the rejoinder of the other side expeditiously preferably within a period of one month from the date of receipt/production of a copy of this order.

(Dr. Ravi Ranjan, J)

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