

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.1115 of 2015**

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Vinay Singh Son of Shiv Sagar Singh Resident of Village - Kashimpur,  
P.S. - Islampur, District - Nalanda at Biharsharif.

.... .... Petitioner

Versus

1. The State of Bihar through the Principal secretary, Department of Revenue and Land Reforms.
2. The District Magistrate-cum-Certificat Officer, Nalanda at Biharsharif.
3. The Certificate Officer, Hilsa, Nalanda.

.... .... Respondents

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**Appearance :**

For the Petitioner/s : Mr. Sanjay Kumar

For the Respondent/s : Mr. Rajiv Roy

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**CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA**  
**ORAL JUDGMENT**

2     23-01-2015             Heard learned counsel for the parties as with regard to the following relief prayed in this writ application:

“For quashing the Certificate Case No. 06/92-93 pending before the Certificate Officer, Hilsa, Nalanda, the petitioner further prays for issuance of a consequential writ/order/direction to stay the further proceedings of Certificate Case No. 06/92-93.”

Learned counsel for the petitioner very fairly at the outset has submitted that the petitioner does not want quashing of the certificate case but only for some accommodation to pay the amount of certificate dues within the fixed period of time as per the order of the Certificate Officer but then till the petitioner appears and makes such a prayer before the Certificate Officer he should not be subjected to coercive measure including being arrested and/or his property being attached.

Strictly speaking once there is no challenge to the certificate proceeding the remedy for the petitioner was to appear before the Certificate Officer and make such prayer. It is, however, an apprehension of the petitioner of being arrested and/or his property being attached which has made him to rush to this Court.

The certificate proceeding is of the year 1992-93 and now when the petitioner is fully prepared to pay the certificate dues alongwith its interest as contemplated under the provisions of Bihar Public Demand Recovery Act, this Court would direct the petitioner to appear before the Certificate Officer, Hilsa on or before 6<sup>th</sup> February, 2015 and file an application giving the details in the manner in which he is prepared to pay the certificate dues alongwith the interest. The Certificate Officer having arrived at the amount payable by the petitioner will pass necessary order for realization of the certificate dues alongwith interest by giving installments which must be paid within six months from the date of appearance and filing of the application by the petitioner.

With the aforementioned observation and direction, this application is disposed of.

**(Mihir Kumar Jha, J)**

surendra/-

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