

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.16157 of 2015

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Jitendra Mandal @ Jitan Mandal son of Govind Mandal resident of Village -
Alalpur, P.O. - Raghobpur, P.S. - Sahu Parbatta, District - Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar, through the Chief Secretary, Government of Bihar, Old Secretariat, Patna.
2. The Branch Manager, Central Bank of India, Gauripur Branch, District - Bhagalpur.
3. The Sub-Divisional Magistrate, cum Certificate Officer, Naugachia, District - Bhagalpur.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Pandey

For the Respondent/s : Mr. K.K. JHA- AAG14

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 15-12-2015

Heard learned counsel for the petitioner and learned counsel
for the respondents.

2. The present writ petition has been filed for a direction to
the respondents concerned to cancel the body warrant issued against
the petitioner in Certificate Case No.2 of 2014-15 and not to take any
coercive steps for recovery of the dues for the time being.

3. It is submitted on behalf of the petitioner that the
petitioner is prepared to make payment of the entire dues in
reasonable instalments.

4. In view of the stand of the petitioner and in the interest of

justice, let the petitioner approach the Certificate Officer within a period of two weeks from today with an appropriate representation for fixing the schedule of proposed payment in instalments, which shall be disposed of on its own merits expeditiously in accordance with law.

5. If the petitioner represents as aforesaid, the Certificate Officer, Naugachia, District Bhagalpur shall not resort to any coercive action for recovery of the dues against the petitioner in Certificate Case No. 2 of 2014-15 until disposal of such representation.

6. It is made clear that in case the Certificate Officer permits payment in instalments, the petitioner shall adhere to the same and in case of any failure or delay, the Certificate Officer shall be at liberty to proceed for recovery of the remaining dues in accordance with law.

7. The writ petition stands disposed of.

(Vikash Jain, J)

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