

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 6320 of 2014

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Binod Kumar Son of Sri Doarika Mahto Resident of Village - Saswahna,
P.S. - Birnama, District - Shekhpura

.... Petitioner

Versus

1. The State of Bihar
2. The Director, Mines, Munger
3. The Deputy Director, Mines, Munger
4. The Principal Secretary, Mines Department, Bihar, Patna
5. The Collector cum Mines Officer, Shekhpura
6. Assistant Mines Development Officer, Shekhpura

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Satish Kumar

For the Respondent/s : Mr. Rajendra Prasad

AC to Addl. Advocate General - 2

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

4. 21-08-2015 Heard learned counsel for the petitioner, learned A.C.
to Addl. Advocate General – 2 as well as Sri Rajendra Prasad,
learned counsel for the respondent/Mines & Geology Deptt.

The petitioner, invoking writ jurisdiction of this Court under Article 226 of the Constitution of India, has prayed for quashing of a certificate proceeding in Certificate Case No. 8 of 2011-12 pending in the court of District Certificate Officer-cum-Deputy Director, Mines, Munger, Circle Munger. The petitioner has also prayed for quashing of warrant of arrest issued in the certificate proceeding.

The Court is of the opinion that once the certificate

proceeding is initiated under the provisions of Bihar & Orissa Public Demand Recovery Act, 1914, the petitioner may be advised to approach the Certificate Officer itself instead of invoking writ jurisdiction.

The writ petition stands disposed of.

(Rakesh Kumar, J.)

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