

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8126 of 2016

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M/s Om Sai Ram Rice Mill, Industrial Area, Bettiah, through its Proprietor
Umesh Kumar Sah, Son of Sri Ram Sah, resident of village- Mahnagni, P.S.
Mufassil, District - West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Food and Consumer Protection Department, Government of Bihar, Patna.
3. The Managing Director, Bihar State Food and Civil Supply Corporation, Sone Bhawan, Patna, Bihar.
4. The Deputy Chief (Claim), the Bihar State Food and Civil Supply Corporation, Sone Bhawan, Patna, Bihar.
5. The District Magistrate, West Champaran at Bettiah.
6. The District Manager, B.S.F.C., West Champaran at Bettiah.
7. The District Certificate Officer, West Champaran, Bettiah.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey

For the Respondent/s : Mr. Manish Kumar, GP-8

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

2 16-05-2016

Heard the parties.

Annexure-8 is under challenge whereby the District Certificate Officer, West Champaran at Bettiah has required the certificate-holder to quantify the recovery amount after adjusting the claim raised by the petitioner and whereupon it has been observed that for the recovery of the same distress warrant would be issued.

The order apparently is interlocutory and does not dispose of the certificate case finally. The writ petition in the circumstances is pre-mature. Even otherwise considering that

appellate remedy is available to the petitioner under section 60 of the Bihar and Orissa Public Demands Recovery Act, 1914 to question the order passed by the District Certificate Officer, no case for indulgence is made out for interference in the proceedings on merits of the claim which can be well raised by the petitioner before the appellate forum.

The writ petition is disposed of accordingly.

(Jyoti Saran, J)

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