

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17326 of 2015

=====

Ram Vinay Prasad, Son of Sri Ayodhya Prasad, Proprietor of M/s Vishwakarma Oil, Rice and Chura Mill, Puran Chapra, P.O.- Puran Chapra, P.S.- Chakiya, District- East Champaran, Motihari.

.... Petitioner/s

Versus

1. The State of Bihar.
2. District Certificate Officer, Sitamarhi.
3. Bihar State Food & Civil Supplies Corporation Ltd. through the District Manager, Sitamarhi.

.... Respondent/s

=====

Appearance :

For the Petitioner/s	:	Mr. Sumeet Kumar Singh
		Mr. Shambhu Nath Choubey
For the Respondent-State	:	Mr. Awanish Nandan Sinha, GP-11
For the Respondent-BSFC	:	Mr. Shailendra Kumar Singh

=====

CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

2 24-06-2016 Heard Mr. Sumeet Kumar Singh, learned counsel appearing for the petitioner, learned counsel for the State and Mr. Shailendra Kumar Singh, learned counsel appearing for the Corporation.

The petitioner questions the proceedings arising from Certificate Case No.21 of 2014-15 initiated against him under the provisions of the Bihar and Orissa Public Demands Recovery Act, 1914 (hereinafter referred to as 'the Act') inter alia on grounds that the name of the petitioner though has been rightly mentioned in the column but in the body the word 'Pandey' has been added. The second issue raised is that the column of the date lying blank in the certificate placed at

Annexure-16 to I.A. No.4827 of 2016, it violates the statutory requirements.

In my considered opinion that the name of the petitioner is very clearly mentioned in the certificate a mere mentioning of the title 'Pandey' in the body is a mere typographical error bordering on a technicality which can be ignored and would not be sufficient to invalidate the certificate. Even the issue regarding the column of date being vacant, the very signature of the Certificate Officer bearing the date would rectify the error whatsoever. In so far as the error regarding the number of the certificate is concerned, the very mentioning of the number '1' in column accompanied with the date appearing in the certificate would be an answer to the issue which again is a hyper technicality.

No cause for indulgence is made out.

The writ petition is dismissed. Interlocutory application stands disposed of.

(Jyoti Saran, J)

SKPathak/-

U			
---	--	--	--