

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.8499 of 2014

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Gangadhar Yadav, Son of Shiv Narayan Yadav, Resident of Village - Chakkodih,
P.O. Pararia, P.S. Banka, District - Banka

.... Petitioner/s

Versus

1. The State of Bihar, through the Secretary Department of Agriculture Bihar, Patna
2. The Chief Secretary, Bihar, Patna
3. The Managing Director, Bihar State Co-Operative Land Development Bank, Bihar, Patna
4. The Certificate Officer, Bihar State Co-Operative Land Development Bank, Bhagalpur
5. The Branch Manager, Bihar State Co-Operative Land Development Bank, Banka

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Md. Najmul Hodda

For the Respondent/s : Mr. Amar Nath Deo, Advocate.

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 29-02-2016

Heard learned counsel for the petitioner and the respondents.

2. It is submitted on behalf of the petitioner that the entire proceedings in Certificate Case No. 12 of 2013-14 against the petitioner in terms of Section 7 of the Bihar & Orissa Public Demands Recovery Act (for short, "the Act") for recovery of the dues amounting to Rs. 7,65,834/- are wholly illegal and liable to be quashed.

3. It is claimed by the petitioner that an objection petition under Section 9 has already been filed which is pending before the Certificate Officer.

4. With the consent of the parties, the present writ petition is disposed of with a direction to the Certificate Officer, Bhagalpur to consider and dispose of the objection petition under Section 9 of the Act, if filed by the petitioner and still pending, on its own merits, in accordance with law and in terms of Section 10 of the said Act within a period of four weeks from the date of receipt/production of a copy of this judgment.

5. It is made clear that during the pendency of the objection petition, the Certificate Officer, Bhagalpur, shall not resort to any coercive action for recovery of the dues against the petitioner in Certificate Case No. 12 of 2013-14.

(Vikash Jain, J)

Md. Ibrarul/-

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