

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10691 of 2012

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1. Sohail Ahmad Son Of Abdul Nayeem Ansari Resident Of Village -
Ghorpakadi, P.S.- Inarwa, District - West Champaran

.... Petitioner/s

Versus

1. The State Of Bihar Through Secretary Finance Department, Bihar, Patna
2. The District Certificate Officer, West Champaran, Bettiah
3. The Branch Manager, Punjab National Bank, Inarwa Branch, P.S.-
Inarwa, District - West Champaran
4. District Magistrate, Bettiah , West Champaran

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Respondent/s : Mr. Kaushal Kishore Jha AAG 6

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

6 06-12-2016 Heard the counsel for the petitioner, Mr. Kumar Priya
Ranjan the counsel for the respondent- Punjab National Bank and
AC to AAG-6 for the State.

Petitioner is aggrieved by the order passed by the
respondent- Collector in Certificate Appeal Case no. 37 of 2000-
2001 whereby while allowing the appeal the Certificate case being
case no. 20 of 1997-98 was restored on the file of the Certificate
Officer for consideration of the matter afresh in accordance with
law.

Counsel for the petitioner submits that the order was
passed without affording reasonable opportunity of hearing to the
petitioner. Mr. Ranjan, conversely, submits that an appeal was



preferred against the order of the Certificate Officer dropping the proceeding by the respondent- Bank before the appellate authority wherein opportunity of hearing was afforded to the petitioner by issuing notice and thereafter the said order was passed. The petitioner did not appear in spite of the notice. The petitioner shall have an opportunity of raising objection(s) by filing appropriate application before the respondent- Certificate Officer once the case is taken up for consideration by the Certificate Officer.

Considering the facts and circumstances of the case, in my view, it is not a case where the Court would invoke its extraordinary and discretionary writ jurisdiction. The writ application is dismissed.

(Kishore Kumar Mandal, J)

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