

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18005 of 2016

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1. Shashi Kant Kumar, Proprietor M/s Shashi Rice Mill, son of Manoj Kumar Komal resident of village Musadhi, Police Station - Kurtha, District Arwal.

.... Petitioner/s

Versus

1. The State of Bihar through the Commissioner, Department of Food and Consumer Protection, Government of Bihar, Patna.
2. The Bihar State Food and Civil Supplies Corporation Ltd. Birchand Patel Path, Patna through the Managing Director.
3. The Managing Director, Bihar State Food and Civil Supplies Corporation Ltd. Birchand Patel Path, Patna.
4. The District Certificate Officer, Arwal.
5. The District Manager, Bihar State Food Corporation, Arwal.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Aditya Prakash Sahay, Advocate.
For the State : Mr. Vishwambhar Prasad, AC to AAG-5

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 19-12-2016 Heard learned counsel for the petitioner and learned counsel for the State.

Petitioner is ready to deposit 10% of the certificate amount. He has filed objection under Section 9 of the Public Demand Recovery Act, 1914. The Certificate Officer instead of disposing of the same has issued the body warrant. Before issuance of body warrant the Certificate Officer is required to dispose of the objection and only obligation lies upon him to pass such an order. But in the present case different method has been adopted by the



Certificate Officer.

Certificate Officer, Arwal is directed to decide the objection of the petitioner subject to the condition as stated hereinabove. The aforesaid amount should be deposited within six weeks from today.

Till the disposal of the objection the body warrant issued against the petitioner shall remain stayed in connection with Certificate Case No.65 of 2015-2016, pending in the court of District Certificate Officer, Arwal but if the petitioner would fail to comply the interim order the relief granted to him will be deemed to have been cancelled. Certificate Officer is directed to dispose of the matter within a period of three months from the date of receipt/production of a copy of this order.

With the aforesaid observation this writ petition is disposed of.

(Shivaji Pandey, J)

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