

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.6667 of 2014

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Ram Nath Sah Son Of Late Harihar Sah Resident Of Village- Mahmudchack,
Police Station Nayagaon, District- Saran

.... Petitioner/s

Versus

1. The State Of Bihar
2. The District Magistrate, Saran At Chapra
3. The Bihar Electricity Board Through Its Chairman , Bidyut Bhawan Government Of Bihar, Bailey Road, Patna
4. The Chief Engineer North Bihar Power Holding Company Ltd. Bihar Electricity Board, Muzaffarpur Unit
5. The District Engineer, North Bihar Power Distribution Co. Ltd. Bihar Electricity Board Bihar Purvi Saran At Chapra
6. The Assistant Electric Engineer, Electric Supply North Bihar Power Holding Sonpur, Chapra Co. Ltd.
7. The S.D.O. Sonpur Bihar Electricity Board North Bihar Power Distribution Co. Ltd. Sonpur, District- Saran, Chapra
8. The Officer In-Charge, Nayagaon Police Station District Saran Chapra
9. S.D.O-cum-Certificate Officer, Sonpur, Saran.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Krishna Kumar Singh, Advocate
For the Resp. Power Comp. : Mr. Akhileshwar Singh, Advocate
For the State : Mr. Tej Bahadur Singh, AAG 7

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 20-01-2016

Heard learned counsel for the petitioner and learned
counsel for the respondent Power Company.

2. The present writ petition has been filed for quashing
the Certificate Case No. 1 of 1995-96 (Electric) instituted for
recovery of Rs. 47,363.99 from the petitioner.

3. Learned counsel for the petitioner submits that the
certificate proceeding for recovery of the aforesaid amount

without however disposing of the objection petition filed under Section 9 of the Bihar and Orissa Public Demands Recovery Act (for short “the Act”).

4. Having heard the parties and considering the nature of the prayer of the petitioner, this Court is of the view that the ends of justice will be met by directing the Certificate Officer, Sonapur, Saran to consider the objection petition claimed to have been filed by the petitioner, if so filed and pending, and dispose of the same expeditiously in accordance with law.

5. In case any objection petition under Section 9 of the Act is pending as claimed by the petitioner, no coercive action shall be taken by the Certificate Officer, Sonapur, Saran in Certificate Case No. 1 of 1995-96 (Electric) until disposal of such petition.

6. The writ petition stands disposed of.

(Vikash Jain, J)

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