

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.19187 of 2012

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Ram Prasad Sah @ Raj Kishore Sah, Son of Bauaji Sah, Resident of Village-Gudar Ghat, P.S. - Khanpur, District- Samastipur

.... Petitioner

Versus

1. The State Bank of India, Agriculture Development, Branch, Dalsingsarai, Samastipur
2. The Branch Manager of State Bank of India, Agriculture Development Branch, Dalsing Sarai, District- Samastipur
3. The District Certificate Officer, Samastipur
4. The Officer In Charge of Khanpur Police Station, District- Samastipur
5. The Mesna Agro Agency, through its proprietor namely Ramanand Jha, At Majardahighat, Under P.S. Samastipur, District Town- Samastipur

.... Respondents

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Appearance :

For the Petitioner : Mr. Md. Helal Ahmad
Mr. Faiz Naseem, Advocates

For Respondent No.3 : Mr. Manoj Kumar, AC to GA 7

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 28-09-2016

Heard learned counsel for the petitioner and learned counsel for the respondent no. 3.

2. The present writ petition has been filed for quashing of proceeding of Case No. 179/1994-95 including the order dated 28.05.2010, 06.12.2010 and 04.03.2011 passed by the Respondent District Certificate Officer, Samastipur whereby and whereunder non-bailable warrant has been issued against the petitioner for recovery of Rs. 2,46,012.50 against the agricultural loan.

3. Learned counsel for the petitioner submits that pursuant to the show cause notice issued in Certificate Case No. 179/1994-95, he had filed application dated 30.08.1995 (Annexure-3) which, however, remained pending.

4. Learned counsel for the respondent no. 3 makes statement at the Bar, on instruction, that the matter has since been

settled and the certificate case has been closed. No counter affidavit has been filed bringing such fact on record.

5. In the above view of the matter and with consent of the parties, the writ petition is disposed of with direction to the District Certificate Officer, Samastipur (respondent no. 3) that if the certificate case remains pending, the application of the petitioner dated 30.08.1995 be disposed of on its own merit before proceeding further in accordance with law.

(Vikash Jain, J)

B.T/Ibrar

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	30.09.2016
Transmission Date	N.A.