

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Civil Writ Jurisdiction Case No.1587 of 2014**

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Ranjan Kumar Ratnakar, Son of Sri Sahdeo Prasad, resident of village - Bhadasi, Police Station and District - Arwal at present - Functioning on the Post of Programme Officer in Rangra Chowk Parkhand, Police Station - Rangra Chowk, District - Bhagalpur

.... .... Petitioner

Versus

1. The State of Bihar
2. District Magistrate, Bhagalpur
3. District Development Commissioner, Bhagalpur
4. Director Accounts, District Rural Development Agency, Bhagalpur
5. Senior Deputy Collector, Bhagalpur, In-charge Rangra Chowk Parkhand
6. District Certificate Officer, Bhagalpur
7. Block Development Officer, Rangra Chowk, Bhagalpur

.... .... Respondents

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**Appearance :**

For the Petitioner : Mr. Ashok Kumar Mallick  
Mr. Murli Dhar, Advocates

For the Respondents: Mr. P.K. Verma, AAG 5  
Mr. Suman Kumar Jha, AC to AAG 5

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**CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN**

ORAL JUDGMENT

**Date: 29-02-2016**

Heard learned counsel for the petitioner and learned  
Additional Advocate General for the State.

2. It is submitted on behalf of the petitioner that the entire proceedings in Certificate Case No. 04/2013-14 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. 2,09,166.66 are wholly illegal and liable to be quashed.

3. It is further submitted that an objection petition under Section 9 has already been filed by the petitioner but the Certificate

Officer has not yet disposed of the same.

4. Having regard to the averments made to the above effect in paragraphs 2 and 3 of the supplementary affidavit, with the consent of parties, the present writ petition is disposed of with direction to the Certificate Officer, Bhagalpur to consider and dispose of the objection petition under Section 9 of the Act said to have been filed by the petitioner, if 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 until disposal of such 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. 04/2013-14.

**(Vikash Jain, J)**

B.T/-

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