

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3413 of 2015

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Bajjnath Yadav, son of Late. Bhola Yadav, resident of Village- Mirhatti,
Police Station- Sultanganj, District- Bhagalpur.

.... Petitioner/s

Versus

1. The Principal Secretary Cooperative Department, Govt. of Bihar, Patna.
2. The Registrar, Cooperative Societies, Govt. of Bihar, Patna.
3. The Additional Registrar, Cooperative Societies, Govt. of Bihar, Patna.
4. The District Cooperative Officer, Bhagalpur.
5. The Block Cooperative Extension Officer, Sultanganj Block, Bhagalpur.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Mishra, Adv.
For the Respondent/s : Mr. Sunil Kr. Mandal, S.C. -24
: Mr. Bipin Kumar, AC to SC-24.

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

6 03-02-2016 Heard the parties.

The orders passed in the certificate proceedings arising from Certificate Case No. 17 of 2013-14 was questioned by the petitioner by filing a supplementary affidavit to submit that the final orders have been passed under the proceedings without notice under Section 7 of the Bihar and Orissa Public Demands Recovery Act (hereinafter referred to as 'the Act') and without service of copy of the certificate and due to which the petitioner was precluded from filing his objection under Section 9 of 'the Act'. Since this issue was raised by the petitioner through a supplementary affidavit that the State was directed to file a supplementary counter affidavit meeting such charges.



A supplementary counter affidavit has been filed by the District Cooperative Officer and Mr. S.K. Mandal learned Standing Counsel No.24 with particular reference to paragraphs 5, 6 and 7 thereof submits that not only the notice under Section 7 of 'the Act' has been received by the petitioner as is manifest from the receiving given on the notice, the petitioner also attended the proceedings and assured to clear the dues. The statement made in the affidavit has not been contested by the petitioner.

In the circumstances discussed and considering that an attempt was made by the petitioner to mislead the Court, the writ petition is dismissed.

(Jyoti Saran, J)

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