

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.8876 of 2017

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1. Vikash Kumar Singh S/o Ravindra Singh, Prop. of M/S Nikhileshwar Rice mill,
Siwan Bigha, R/o Vill-Siwan Bigha, P.S.-Rishiyap, Dist. Aurangabad.

.... Petitioner/s

Versus

1. The State of Bihar, through the Principal Secretary, Food and Civil Supply Govt. of Bihar, Patna.
2. The Managing Director, Bihar State Food & Civil Supplies Corporation, Patna.
3. The District Magistrate, Aurangabad
4. The District Magistrate, Bihar State Food Corporation, Aurangabad.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Jai Prakash Singh

For the BSFC : Mr. Nirmal Kumar

For the State : Mr. Upendra Pratap Singh, AC to SC-4

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL JUDGMENT

Date: 27-07-2017

Heard the parties.

In the present case, petitioner has prayed for quashing the order dated 4.3.2016 passed in Certificate Case No.4 of 2014-125 by the Certificate Officer, Aurangabad by which he has passed the order without considering the objection filed under Section 9 of the PD.R. Act.

As per demand, petitioner is liable to pay Rs. 1,00,84,646/- but when he has not deposited the said amount then a proceeding under P.D.R. Act has been initiated vide Certificate Case No. 4 of 2014-15. Notices were issued. The petitioner did not file objection though he was appearing in the case. In terms of the P.D.R. Act the petitioner was required to file an objection. He has claimed that he has already deposited Rs. 47 lacs but details has



not been provided in the petition nor any documentary proof has been attached with the writ petition. He has filed the objection vide objection dated 16.6.2017.

Be that as it may, if the petitioner deposits Rs. 10 lacs within four weeks from today, in such circumstances, objection dated 16.6.2017 filed by the petitioner will be taken into consideration and he will pass a reasoned order.

The petitioner, if so advised, may file additional show cause attaching documentary evidence in proof of depositing money, the same will be considered by the Certificate Officer and any another point raised, will also be taken into consideration by the Certificate Officer.

In the meantime, up-to four weeks no coercive steps will be taken against the petitioner. If he fails to deposit Rs.10 lacs Certificate Officer will be at liberty to take action in accordance with law.

With the aforesaid observation and direction this writ petition is disposed of.

Vinay/-

(Shivaji Pandey, J)

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	7.8.2017
Transmission Date	NA

