

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.10828 of 2016

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Dharmendra Kumar Singh Son of Ram Nadan Singh Village - Karmdih, P.S.
Barun, Distt. - Aurangabad

.... Petitioner

Versus

1. The State of Bihar through the District Magistrate
2. The District Magistrate, District Aurangabad
3. The Bihar State Food & Civil Supplies Corporation through its MD Bihar at Patna
4. The Managing Director, Bihar State Food & Civil Supplies Corporation
5. The District Manger, Bihar State Food & Civil Supplies Corporation District Aurangabad
6. The Certificate Officer, District Aurangabad

.... Respondents

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Appearance :

For the Petitioner	:	Mr. Naresh Dixit, Advocate Mr. Brij Nath Tiwary, Advocate
For the BSFC	:	Mr. Nirmal Kumar, Advocate
For the State	:	Mr. Ranjan Kumar, AC to GA 12

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 01-12-2017

The present writ petition has been filed for setting aside the demand notice No. 796 dated 20.05.2016 whereby and whereunder the petitioner has been directed to pay a sum of Rs. 16,63,977/- outstanding dues of C.M.R; for commanding the respondent authorities to adjust the amount of milling charges of paddy with transporting and handling charges in view of its own letter No. A-76 of kharif season 2012-2013; and further for a direction to the respondent authorities not to take coercive action against the petitioner.

2. Learned counsel for the petitioner submits that there is material discrepancy in the amounts said to be due from the petitioner and



that the amount due to him towards milling, transporting and handling charges in respect of C.M.R. has also not been adjusted.

3. Learned counsel for the petitioner, however, fairly accepts that objection petition under Section 9 of the Public Demands Recovery Act (for short ‘P.D.R. Act’) has not been filed before the Certificate Officer.

4. In the above view of the matter, this Court is not inclined to enter into the merits of the claim of the petitioner. The writ petition is accordingly disposed of granting liberty to the petitioner to file appropriate objection petition under Section 9 of the P.D.R. Act before the Certificate Officer, Aurangabad for redressal of his grievances. If any such petition is filed within a period of three weeks from today, the same shall be considered and disposed of by a speaking order in accordance with law.

5. No coercive action shall be taken against the petitioner until disposal of the objection petition provided that the same is filed within the stipulated time.

(Vikash Jain, J)

Chandran/BT

AFR/NAFR	NAFR
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