

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10546 of 2006

- =====
1. Basudeo Das son of Late Biranchi Das, resident of Village- Bishunpur Chaturbhuj, P.O. Begusarai, P.S. Mufassil (Begusarai), District- Begusarai.
 2. Bhola Prasad Singh, son of Late Badri Prasad Singh, resident of Village and P.O. Sihma, P.S. Muffasil (Begusarai), District- Begusarai (Both Certificate debtors)

.... Petitioners

Versus

1. The State of Bihar.
2. The District Magistrate (D.M.) Begusarai, at P.O. & P.S. Begusarai, District- Begusarai.
3. The Sub-Divisional Officer (S.D.O.), Begusarai, at P.O. & P.S. Begusarai, District- Begusarai.
4. The Nagar Parishad, Begusarai, through its Executive Officer, at P.O. & P.S. Begusarai, District- Begusarai.
5. Sri Abdul Rahman (A. Rahman), Executive Officer of Nagar Parishad, Begusarai-cum-the Requisitioning Officer-cum-the Certificate Holder-cum-the Certificate Officer, Begusarai, at P.O. & P.S. Begusarai, District- Begusarai.

.... Respondents

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Appearance :

For the Petitioners : Mr. Kalyan Shankar, Advocate.

For the Respondents : None

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 05-12-2017

The present writ petition has been filed for the following reliefs:

“(i) To quash the entire certificate proceeding bearing Certificate Case No. 01/2006-07 initiated against the petitioners under the provisions of the Bihar and Orissa Demands Recovery Act, 1914 (for short “the Act”) pending before the Certificate Officer (respondent no. 5 hereof) vide the order dated 12.07.2006, as contained in Annexure-5 and also the consequential notices issued to the petitioners under Section 7 of the Act, as contained in Annexure-6.

(ii) To restrain the respondent authorities from taking any coercive action against the petitioners in connection with the above-mentioned certificate case during the pendency of the instant writ petition, and

(iii) To grant all consequential reliefs to which the



petitioners are found entitled to during the course of hearing of the instant writ petition.

2. At the very outset, learned counsel for the petitioners submits that the reliefs sought in the present writ petition are not being pressed on merits and it would suffice if the objection petition filed under Section 9 of the P.D.R. Act is disposed of by the Certificate Officer.

3. None appears on behalf of the respondents despite repeated calls.

4. Having regard to the stand of the petitioner, the writ petition is disposed of with a direction to the Certificate Officer, Begusarai (Respondent No. 3) to consider and dispose of the objection petition filed under Section 9 of the PDR Act in connection with Certificate Case No. 01/2006-07, if still pending, in accordance with law after grant of an opportunity of hearing to the petitioner.

(Vikash Jain, J)

Md. Ibrarul/Chandran

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

