

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.11750 of 2015

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Jitendra Choudhary, Son of Gajendra Chaudhary, resident of Fursatpur Bairiyan,
P.s. - Motihari Muffasil, District - East Champaran.

.... Petitioner

Versus

1. The State of Bihar, through the Chief Secretary, Govt of Bihar, Patna.
2. The Collector cum District Magistrate, East Champaran.
3. The District Land Acquisition Officer, East Champaran.
4. The District Certificate Officer cum Additional Magistrate, East Champaran.
5. The State Bank of India through the Branch Manager, A.D.B., Motihari.

.... Respondents

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Appearance:

For the Petitioner/s : Mr. Krishna Kant Singh, Adv.
For the State : Mr. Rakesh Ambastha, A.C. to A.A.G.-7
For the Bank : Mr. Kaushlendra Kumar Singh, Adv.

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL JUDGMENT

Date: 29-03-2017

Heard learned counsel for the petitioner, learned
counsel for the Bank and learned counsel for the State.

2. In this case, the petitioner is challenging the notice dated 07.02.2015 issued under the signature of the District Certificate Officer, East Champaran, whereby the petitioner has been directed to pay Rs.9,21,676/- which is outstanding against the petitioner.

3. The petitioner has taken cash credit loan from the State Bank of India for installing solar lights. As the State Government



has scraped the scheme, the petitioner has failed to pay back the loan amount, which compelled the Bank to initiate a proceeding under the P.D.R. Act.

4. The petitioner does not deny the dues of the Bank, but only submits that on account of sudden decision of the State Government he caused severe loss, so he failed to pay back the loan amount. He further submits that the petitioner has already filed Objection under Section 9 of the P.D.R. Act.

5. Let the District Certificate Officer, East Champan, consider the Objection filed by the petitioner and take decision in accordance with law. If any warrant has been issued against the petitioner, the same will not be enforced till the disposal of the objection.

6. With the aforesaid observations and directions, this writ application is disposed of.

(Shivaji Pandey, J)

pawan/-

AFR/NAFR	N.A.F.R.
CAV DATE	N/A
Uploading Date	31.03.2017
Transmission Date	N/A.

