

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10624 of 2017

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1. Siyaram Yadav Son of Lat Mochan Yadav, Resident of Village-Hirolawa, P.S.- Shankarpur, District- Madhepura, Proprietor of M/S Hilolawa Rice Mill, Zirwa Mandheli PACS, Madhepura.

.... Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Food and Civil Supply, Patna.
2. The District Magistrate, Madhepura.
3. The Superintendent of Police, Madhepura.
4. The Certificate Officer, Madhepura.
5. The Deputy Superintendent of Police, Madhepura.
6. The District Manager, Bihar State Food and Civil Supply Corporation, Madhepura.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Shashi Bhushan Kumar

For the Respondent/s : Mr. Arvind Ujjwal- SC4

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 29-08-2017

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

In this case, the petitioner is challenging the order
dated 13.6.2017 by which the Certificate Officer, Madhepura
has considered the objection of the petitioner and disposed of
the same by a reasoned order.

Instead of filing an appeal, the petitioner has
straightway approached this Court submitting that from the
aforesaid order, it does not appear that the objection of the
petitioner has been taken into consideration but, the order



itself discloses application of judicial mind and all the points, raised in the objection petition, has been considered and disposed of by the Certificate Officer.

This Court is not giving any opinion on the merit of the case. The petitioner, if so advised, may file an appeal in terms of Section 60 of the Bihar and Orissa Public Demand Recovery Act along with the stay petition before the appellate authority within a period of four weeks from today.

Till disposal of the stay petition, the petitioner will not be taken into custody. This interim relief is only available to the petitioner till disposal of the stay petition by the appellate authority subject to a condition that the petitioner will file an appeal within the aforesaid period of four weeks from today.

With the aforementioned observation and direction, this application is disposed of.

(Shivaji Pandey, J)

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