

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.9893 of 2017

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Ajay Kumar Gupta Son of Sri Bindhyachal Prasad Resident of Gandhi Nagar, P.S. Bagaha-1, District- West Champaran, Proprietor of M/S Maa Bindhyachal Shiv Shakti Rice Mill, Bagaha-I, West Champaran.

.... Petitioner/s

Versus

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

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Shashi Bhushan Kumar, Adv.
For the Respondent/s : Mr. Arvind Ujjwal-SC4
For the BSFC : Mr. Shailendra Kumar Singh, Adv.

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL JUDGMENT

Date: 25-07-2017

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

In this case, the petitioner is challenging the order dated 11.4.2016 by which the Certificate Officer, West Champaran, Bettiah 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)

Rishi/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	01.08.2017
Transmission Date	NA

