

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.19125 of 2016

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Kishori Thakur, Son of Bigu Thakur, Resident of village - Harnatpur, P.S.
Pakridayal, District - East Champaran

.... Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Rural Development, Govt. of Bihar,
2. The District Magistrate - Cum - District Programme Co - Ordinator (MANREGA),
3. The District Development Commissioner - Cum - Addl. District Programme Co - Ordinator (MANREGA),
4. The Director, D.R.D.A., East Champaran at Motihari,
5. The Block Development Officer - Cum - Programme Officer, Pakridayal (Incharge), East Champaran at Motihari
6. Sub - Divisional Officer, Pakridayal, East Champaran at Motihari
7. The Certificate Officer, East Champaran, Motihari

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ansul, Adv.

For the Respondent/s : Mr. Rewti Kant Raman, AC to SC11

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL JUDGMENT

Date: 10-01-2017

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

In the present case, the petitioner has been taken into civil custody on 28.11.2016 for non-depositing the demand amount as has been passed in the Certificate Case No. 01/GABAN/16-17 for Rs. 14,85,992/- along with 12% simple interest.

Learned counsel for the petitioner submits that unless the



petitioner is released from custody, he will not be able to take any action as provided under the Act.

Let the petitioner, namely, Kishori Thakur, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Certificate Officer, East Champaran, Motihari in connection with Certificate Case No. 01/GABAN/16-17 subject to a condition that the petitioner must take steps for filing an appeal within a period of four weeks from today in accordance with law as provided under the Bihar & Orissa Public Demand Recovery Act and the appellate authority would dispose of the same within a period of six weeks thereafter.

It is made clear that if the petitioner would fail to file an appeal within the aforesaid period of four weeks from today, the authority will be at liberty to take action in accordance with law.

This Court has not given any opinion on the merit of the case and it is supposed that the appellate authority, after giving fair hearing to the petitioner, will pass a reasoned order in accordance with law. It is also made clear that if the order of the appellate authority is against the petitioner, he will have a liberty to take action against the petitioner in accordance with law.

With the aforementioned observation and direction, this



application is disposed of.

Let this order be sent to the Certificate Officer, East
Champaran, Motihari through FAX at the cost of the petitioner.

(Shivaji Pandey, J)

Rishi/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	16.01.2017
Transmission Date	

