

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.7375 of 2018

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Ajay Kumar, Son of Late Shiv Prasad Sao, Resident of Village-Barhara, Baghi Bagdiha Gram Panchayat, P.S. + P.O.-Warisaliganj, District-Nawada.

.... Petitioner

Versus

1. The State of Bihar through the District Magistrate, Nawada.
2. The Deputy Development Commissioner, Nawada.
3. The Sub-Divisional Officer, Sadar, Nawada.
4. The District Certificate Officer, Nawada.
5. The Block Development Officer, Warsaliganj, Nawada.
6. The Block Supply Officer, Warsaliganj, Nawada.

.... Respondents

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Appearance :

For the Petitioner : Mr. Krishna Chandra Jha,
Mr. Amish Kumar, Advocate.
For the Respondents : Mr. Arvind Ujjwal, SC-4

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 07-05-2018

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

2. It is submitted on behalf of the petitioner that the entire proceedings in Certificate Case No. 19/2011-12 against the petitioner in terms of Section 7 of the Bihar & Orissa Public Demands Recovery Act (for short, "the Act") for recovery of the dues amounting to Rs. 6,33,666/- are wholly illegal and liable to be quashed.

3. It is further submitted that an objection petition under Section 9 has already been filed by the petitioner but the Certificate Officer has not yet disposed of the same. .

4. Be that as it may, with the consent of parties, the



present writ petition is disposed of with direction to the Certificate Officer, Nawada to consider and dispose of the objection petition under Section 9 of the Act said to have been filed by the petitioner, if still pending, on its own merits, in accordance with law and in terms of Section 10 of the said Act within a period of four weeks from the date of receipt/production of a copy of this judgment.

5. It is made clear that until disposal of such objection petition, the Certificate Officer, Nawada shall not resort to any coercive action for recovery of the dues against the petitioner in Certificate Case No. 19/2011-12.

(Vikash Jain, J)

Md. Ibrarul/-

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

