

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16800 of 2016

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Rakesh Ranjan Son of Dinesh Prasad Gupta Resident of Village- Shikarganj,
P.S. Chiraiya (Shikarganj), District East Champaran Proprietor of M/s Ayush
Rice Mill, Shikarganj, P.S. Chiraiya (Shikarganj) District East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar , through the Principal Secretary, Bihar State Food and Civil Supply Department , Government of Bihar, Patna.
2. The District Magistrate, East Champaran at Motihari.
3. The District Manager Bihar state Food and Civil Supply, Corporation Ltd, Motihari, District East Champaran.
4. The District Certificate Officer, Certificate Department East Champaran at Motihari.
5. The District Supply Officer, District East Champaran at Motihari.
6. The Officer-in-Charge, Chakia Police Station-District East Champaran.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Anuj Kumar
For the Respondent/s : Smt. Namrata Mishra, GA-6

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 17-12-2018 The present writ petition has been filed for quashing

the order dated 12.08.2016 passed in Certificate Case No.

38/Khadyan 14-15 by the Certificate Officer, East Champaran at

Motihari.

The learned counsel for the respondents referring to

the counter affidavit has submitted that after the petitioner had

filed the objection, the learned Certificate Officer has rejected

the same by an order dated 22.04.2016 and has directed the

petitioner to deposit the certificate amount. It is further

submitted that the aforesaid order passed by the Certificate



Officer is amenable to appeal and the petitioner can take recourse to the remedy of appeal by filing an appeal under Section 60 of the Bihar and Orissa Public Demand Recovery Act, 1914.

In view of the submissions made by the learned counsel appearing for the respective parties, the present writ petition is disposed of with liberty to the petitioner to file an appeal against the final order passed by the Certificate Officer, Motihari, East Champaran and in case an appeal is filed within four weeks from today, no coercive steps shall be taken till the disposal of the appeal.

It is needless to state that for a period of four weeks from today, no coercive steps shall be taken against the petitioner herein and during the said period the petitioner would be at liberty to file the requisite appeal.

(Mohit Kumar Shah, J)

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