

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.24701 of 2013

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M/S Sweet Corner through Its Proprietor Munna Kumar S/O Late Shivendra Shaw Resident of Mohalla- Dargah Road, Banwari Chowk, Police Station- Sultanganj, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar, Through The Principle Secretary, Labour Resource Department, Govt. of Bihar, Patna.
2. The Deputy Labour Commissioner, Patna Division, Patna.
3. The Labour Superintendent cum Inspector, Child Labour Prohibition And Regulation (Patna), Patna.
4. The Certificate Officer cum District Panchayat Raj Officer, Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : None

For the Respondent/s : Mr. DHURJATI KR PRASAD

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 24-08-2018

The present writ petition has been filed for the following reliefs –

(i) For quashing the certificate case no. 323 of 2011-12 pending in the Court of Certificate Officer-cum-District Panchayat Raj Officer, Patna which has been instituted for recovery of Rs. 20,000/- on the basis of requisition made by the respondent no. 3 for alleged violation by the petitioner of the provision contained in Child Labour (Prohibition and Regulation) Act, 1986.

(ii) For quashing the Certificate notice dated 07.05.2013 issued



by the respondent no. 4 in Certificate Case No. 323/2011-12 whereby the petitioner has been directed to file his objection with regard to his liability to Rs. 20,000/- payable by way of compensation.

(iii) For further to restrain the respondent no. 4 from taking any coercive action against the petitioner till disposal of present writ application.

(iv) For any other relief or reliefs for which the petitioner is found entitled in the facts and circumstances of the case.

2. None appears on behalf of the petitioner despite repeated calls.

3. Learned counsel for the respondents appears and submits that the petitioner has filed the objection petition under Section 9 of the PDR Act on 25.07.2013, which is beyond the permissible period of 30 days (Annexure-4).

4. Having heard learned counsel the respondents and on consideration of the materials on record, this Court is of the view that ends of justice will be met if the Certificate Officer-cum-District Panchayat Raj Officer, Patna (Respondent No. 4) is directed to consider and dispose of the petitioner's objection petition filed under Section 9 of the PDR Act, if still pending, , on its own merits in accordance with



law and in terms of Section 10 of the said PDR Act.

5. The writ petition accordingly stands disposed of.

(Vikash Jain, J)

Chandran/BT

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	30.08.2018
Transmission Date	NA

