

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.19853 of 2015

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Bhagirath Rajak Son of Late Ishwar Rajak Resident of Vill + P.O. - Tirasi, P.S. - Gopalpur, District - Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar through Secretary, Food and Supply Deptt., Govt. of Bihar, New Secretariat, Vikash Bhawan, Patna.
2. The Deputy Development Commissioner, District & Village Development Agency, Bhagalpur, District - Bhagalpur.
3. The District Magistrate, Bhagalpur, District - Bhagalpur.
4. The Sub Divisional Officer, Naugachia, District - Bhagalpur.
5. The Block Development Officer cum - Programme Officer, Gopalpur Block, District - Bhagalpur.
6. The Panchayat Secretary Tirasi - Suktia, Gopalpur, District - Bhagalpur.
7. The Mukhiya, Gram Panchayat - Tirasi - Suktia, District - Bhagalpur.
8. The Certificate Officer, Bhagalpur, District - Bhagalpur.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Amrendra Kumar, Adv

For the Respondent/s : Mr. SC28- AJEET KUMAR

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 05-09-2018

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

2.The present writ petition has been filed for quashing the notice of warning dated 10.12.2014 passed by the respondent no. 8, by which he has been intimated/warned the petitioner to deposit Rs. 4,52,200/- otherwise further legal procedure as warrant and attachment would be issued.

3. From perusal of the averments in the writ petition and paragraph 8 thereof in particular, it appears that the petitioner has filed an objection petition under Section 9 of the PDR Act before the



Certificate Officer. However, the Certificate Officer appears to have straight away issued notice/warning dated 10.12.2014, impugned herein, threatening coercive steps on failure to deposit the amount in question.

4. Learned counsel for the respondents appears and opposes the writ petition. However, from the counter affidavit he is unable to point out that the objection petition filed under Section 9 of the PDR Act has been disposed of.

5. Having regard to the nature of the grievance of the petitioner and on consideration of the materials on record, this Court finds that the ends of justice will be met if the Certificate Officer is directed to dispose of the objection petition of the petitioner said to have been filed before him, if still pending, before proceeding further in the matter for recovery of the dues against the petitioner.

6. The writ petition stands disposed of.

(Vikash Jain, J)

B.T/Chandran

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	11.09.2018
Transmission Date	NA

