

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.9403 of 2015

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Ved Prakash Kamal S/o Late Ashwini Kumar Verma resident of village -
Chakrasalpur, P.S.- Deep Nagar, District- Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar
2. The Joint Secretary, Government of Bihar, Patna
3. The Principal Secretary, Pachayati Raj Department Government of Bihar, Patna.
4. The Principal Secretary, Rural Development Department, Govt. of Bihar, Patna.
5. The Monitoring Officer, Panchayati Raj Department Bihar, Patna.
6. The Chief Engineer, Technical Expert Cell , Vigilance Department , Govt. of Bihar, Patna.
7. The Executive Engineer, Technical Expert Cell, Vigilance Department , Bihar, Patna.
8. The Commissioner, Purnea Division , Purnea.
9. The District Magistrate, Katihar
10. The Deputy Development Commissioner-cum-District Programme Co-ordinator, DRDA, Katihar.
11. The Programme Officer, Barari, Katihar.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Singh, Adv

For the Respondent/s : Mrs. Anuradha Singh, SC 21

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 29-08-2018

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

- (i) For quashing the order dated 01.06.2012 passed by the D.DC. Katihar whereby the earlier demand/recovery of Rs. 3,05,478/- has been correct although it has been found that there was flood in the area in



question and the earth work so executed might have been washed away.

(ii) For quashing the order dated 03.02.2012 vide memo nos. 89, 90, 91 and 92 issued by the D.D.C.,Katihar by which the petitioner has been directed to pay Rs. 3,05,478/-.

(iii) For quashing the certificate case no. 8/2012-13 which has been initiated against the petitioner for recovery of Rs. 3,05,478/-.

(iv) For quashing the order dated 20.05.2015 issued by the D.D.C., Katihar, directing the Programme Officer, Barari to lodge FIR against the petitioner and others for the aforesaid cause of action.

2. Learned counsel for the petitioner appears, but he is unable to assist the Court with respect to the pleadings in the writ petition. However, it prima facie appears on a perusal of the averments in the writ petition that a certificate case no. 8/2012-13 has been initiated against the petitioner, but no objection petition under Section 9 of the PDR Act appears to have been filed.

3. Learned counsel for the respondents appears and states that objection petition has not been filed by the petitioner before the Certificate Officer.

4. In the above circumstances, the writ petition is disposed



of granting liberty to the petitioner to file his objection petition under Section 9 of the Act within a period of three weeks from today, which, if done, shall be disposed of by the Certificate Officer on its own merits in accordance with law.

(Vikash Jain, J)

Chandran/BT

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	10.09.2018
Transmission Date	NA

