

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.19533 of 2015

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Vijay Kumar Sharma Son of Late Shiv Shankar Sharma resident of village -
Kabirpar, P.S. Manjhi, P.O. Bangara, District - Saran

.... Petitioner

Versus

1. The State of Bihar
2. District Magistrate, Saran at Chapra
3. Sub - Divisional Officer, Sadar at Chapra
4. Sub - Divisional Certificate Officer, Sadar at Chapra

.... Respondents

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Appearance :

For the Petitioner : Mr. Ajay Kr. Singh No.1, Advocate

For the Respondents : Mr. Md. Irshad, AC to SC 1

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 04-09-2018

The present writ petition has been filed for quashing the notice dated 06.12.2012 issued under Section 7 of the Bihar & Orissa Public Demand Recovery Act (for short, "PDR Act") in Certificate Case no. 05/2012-13 by the respondent no. 4; and further issuance of a direction to the respondents not to take any coercive step against the petitioner.

2. At the very outset, it may be noted that the petitioner is unable to show from the writ petition that any objection was filed under Section 9 of the PDR Act before the Certificate Officer.

3. In the above view of the matter, the present 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 Sub-Divisional Certificate Officer, Sadar Chapra (respondent no. 4) on its own merits within a further period of four weeks thereafter in accordance with law and in terms of Section 10 of the said Act.

4. It is made clear that until disposal of such petition, if filed, the Sub-Divisional Certificate Officer, Sadar Chapra shall refrain from resorting to any coercive action for recovery of the dues against the petitioner in Certificate Case No. 05/2012-13.

(Vikash Jain, J)

B.T/Chandran

AFR/NAFR	NAFR
CAV DATE	N.A.
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