

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.16156 of 2013

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Md. Quddus Son of Late Faziruddin R/O Village Suryapur P.O. Bargachi P.S. &
District - Araria

.... Petitioner/s

Versus

1. The State of Bihar through Collector, Araria
2. The District Certificate Officer, Araria
3. The Branch Manager of UCO Bank, Gaiyari Branch, Ziro Mile, Araria

.... Respondent/s

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Appearance:

For the Petitioner : None
For the State : Mr. Manoj Kumar, AC to GP 4
For the Bank : Mr. Sanjay Kumar, Adv

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 21-08-2018

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

- (i) For quashing the order dated 25.02.2012/29.01.2013 passed by the respondent no. 2, the District Education Officer, Araria in Certificate Proceeding No. 06/2012-13 whereby and whereunder he issued the warrant of arrest against the petitioner for realization of the loan amount due upon the petitioner.
- (ii) For quashing the entire proceeding of the Certificate Proceeding No. 06/2012-13.
- (iii) For any other consequential relief or reliefs 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 invites reference to para 6 of the counter affidavit in which it is stated that the petitioner is not eligible for rebate against the loan under the Central Government Scheme as sought to be claimed by the petitioner. In terms of the Reserve Bank of India guidelines the petitioner does not come within the category of marginal farmer. It is submitted that the petitioner is liable to make payment of the outstanding amount of loan for Tractor and Trailor as also against KCC account availed by him together with interest.

4. Having regard to the stand of the respondents, this Court is not inclined to interfere in the matter. The averment made in the counter affidavit has not been controverted and no rejoinder has been filed by the petitioner. The writ petition accordingly stands dismissed.

(Vikash Jain, J)

Chandran/BT

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	28.08.2018
Transmission Date	NA

