

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11392 of 2013

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Bahadur Singh Son Of Late Ambika Singh, resident of Village- Akolhi, P.S.-
Nuaon, District- Kaimur (Bhabhua)

.... Petitioner

Versus

1. The State of Bihar through Collector, Kaimur (Bhabhua)
2. Collector, Kaimur (Bhabhua)
3. Certificate Officer, Kaimur (Bhabhua)
4. Branch Manager, Punjab National Bank, Ghorsara, P.S.- Ramgarh, District-
Kaimur (Bhabhua)
5. Superintendent of Police, Kaimur (Bhabhua)
6. Officer-in Charge, Nuaon, Kaimur.

.... Respondent

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Appearance :

For the Petitioner : Mr. Parmod Kumar Singh
Mr. Suraj Kumar, Advocates.

For the Respondent : None

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 01-08-2018

The present writ petition has been filed for quashing
the entire proceeding in Certificate Case No. 136(B)/2011-12 pending
before the Certificate Officer, Kaimur, Bhabhua (respondent no. 3) and
for connected reliefs.

2. Learned counsel for the petitioner makes a short
submission to assail the action of the Certificate Officer. It is pointed
out that an objection petition was filed before the Certificate Officer on
23.11.2012 in the backdrop of Rs. 1,90,000/- having been deposited
pursuant to which the loan account for the petitioner was required to
be closed in view of a notification of the Ministry of Finance, Union of
India for waiver of Bank loans of small farmers. The Certificate Officer
directed for reply to be filed on behalf of the Punjab National Bank. It



is submitted that the Certificate Officer however proceeded in an arbitrary manner in not awaiting the reply of the respondent Bank and without passing any order on the objection petition, proceeded to direct issuance of warrant against the petitioner.

3. None appears on behalf of the Bank despite repeated calls.

4. Having regard to the nature of the grievance of the petitioner, I am of the view that the ends of justice will be met if the Certificate Officer is directed to dispose of the objection petition filed by the petitioner on 23.11.2012 after grant of opportunity of hearing to the petitioner as well as to the respondent Bank and pass a speaking order in accordance with law before proceeding further in the matter. It is made clear that no coercive steps shall be taken against the petitioner in Certificate Case No. 136(B)/2011-12 pending before the Certificate Officer, Kaimur, Bhabua (respondent no. 3) until disposal of the petitioner's objection petition.

5. The writ petition stands allowed with the aforesaid observations and directions.

(Vikash Jain, J)

Md. Ibrarul/BT

AFR/NAFR	NAFR
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