

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.25057 of 2013

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Ram Sagar Sahni, son of late Thithar Sahni, resident of Village- Parra Math, P.O. Saraunja, P.S. Birpur, District- Begusarai, at present address resident of Mohalla- Seer Bazar (Ranir Bazar), P.S. Seer Bazar (Ranir Bazar), District- West Tripura, State Tripura.

.... Petitioner

Versus

1. The State of Bihar.
2. The District Magistrate, Begusarai.
3. The Certificate Officer, Begusarai.
4. The Deputy Commissioner of Labor-cum-Commissioner Workmen's Compensation, Munger Division, Begusarai.
5. Bachhiya Devi, W/o Madan Sahni, resident of Village- Parra Math, P.O. Saraunja, P.S. Birpur, District- Begusarai.

.... Respondents

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Appearance :

For the Petitioner : Mr. Jai Prakash Singh, Advocate.
For the State : Mr. Prabhakar Jha, G.P. 27

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 03-07-2018

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

2. The present writ petition has been filed for quashing the entire certificate proceeding in Claim Certificate Case No. 02/13-14 pending in the court of Certificate Officer, Begusarai (respondent no. 3).

3. It is submitted on behalf of the petitioner that entire proceedings in Claim Certificate Case No. 02/13-14 against the petitioner in terms of Section 7 of the Public Demands Recovery Act (for short, "the Act") for recovery of the dues amounting to



Rs. 7,09,741/- are wholly illegal and liable to be quashed.

4. Learned counsel for the respondents submits that the petitioner does not appear to have filed any petition under Section 9 of the Act denying his liability, and as such there is no illegality in the action of the respondents.

5. Be that as it may, with the consent of parties, the present writ petition is disposed of granting liberty to the petitioner to file his 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 within a further period of four weeks thereafter in accordance with law and in terms of Section 10 of the said Act.

6. It is made clear that until disposal of such petition, if filed, the Certificate Officer, Begusarai shall not resort to any coercive action for recovery of the dues against the petitioner in Claim Certificate Case No. 02/13-14.

7. The writ petition stands disposed of.

(Vikash Jain, J)

Md. Ibrarul/BT

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	06.07.2018
Transmission Date	N.A.

