

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10252 of 2015

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Abhay Kumar Singh, Son of Rama Kant Singh, Resident of village and P.O.-
Karma, P.S.- Suryapura, District- Rohtas

.... Petitioner

Versus

1. The State of Bihar
 2. The District Magistrate, Rohtas at Sasaram
 3. The Certificate Officer, Bikramganj, District- Rohtas
 4. The Branch Manager, Syndicate Bank, Narayanpur Branch, District- Rohtas
- Respondents

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Appearance :

For the Petitioner : Mr. Rajani Kant Singh, Advocate

For the Respondents : Mr. Avinash Kumar, SC 30

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 31-08-2018

Learned counsel for the petitioner is permitted to make necessary correction in the date of the impugned notice in paragraph 1 of the writ petition in course of the day.

2. Heard learned counsel for the petitioner as well as learned counsel for the respondents.

3. The present writ petition has been filed for quashing the notice dated 11.11.2014 issued by the Certificate Officer, Bikramganj, District Rohtas (respondent no. 3) in Certificate Case No. 06/2014-15 (Annexure-1) whereby and whereunder respondent no. 3 directed the petitioner to file his objection as to why Rs. 3,17,772/- may not be realized from him.

4. It is submitted on behalf of the petitioner that the entire proceedings in Certificate Case No. 06/2014-15 against the petitioner in



terms of Section 7 of the Bihar & Orissa Public Demands Recovery Act (for short, “PDR Act”) for recovery of the dues amounting to Rs. 3,17,772/- are wholly illegal and liable to be quashed.

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

6. With the consent of parties, 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 Certificate Officer, Bikramganj, District Rohtas (respondent no. 3) 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.

7. It is made clear that until disposal of such petition, if filed, the Certificate Officer, Bikramganj, District Rohtas (respondent no. 3) shall refrain from resorting to any coercive action for recovery of the dues against the petitioner in Certificate Case No. 06/2014-15.

(Vikash Jain, J)

B.T/Chandran

AFR/NAFR	NAFR
CAV DATE	N.A.
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