

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5572 of 2015

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Anil Kumar Singh son of Late Panchdeo Kunwar, resident of village- Tejoul,
P.O.- Baruari, P.S.- Gaighat, District- Muzaffarpur.

.... Petitioner

Versus

1. The State of Bihar.
2. The Commissioner-cum-Appellate Authority, Darbhanga Division,
Darbhanga.
3. The Collector, Darbhanga, District- Darbhanga.
4. Senior Superintendent of Police, Darbhanga, District- Darbhanga.
5. The Certificate Officer-cum-Additional Collector, Darbhanga, District-
Darbhanga.

.... Respondents

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Appearance :

For the Petitioner : None

For the State : Mr. S.K. Mandal, SC-24

Ms. Neelam Kumari, AC to SC-3

For the BSFC : Mr. Shailandra Kumar Singh, Advocate.

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 25-08-2018

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

*“(i) For directing and commanding the respondent to
quash the memo no. 183 dated 15.01.2015 (Annexure-4)
issued by the respondent no. 3, the Collector, Darbhanga
whereby and whereunder distress warrant has been issued
against the petitioner under the provisions of Bihar and
Orissa Public Demand Recovery Act, 1914 due to non-
payment of dues amount.*

*(ii) Also for such other or further order(s)/direction(s) as
this Hon’ble Court may deem fit and proper in the facts and
circumstances of the case and to meet the ends of justice.”*

2. None appears on behalf of the petitioner despite
repeated calls.



3. Learned counsel for the respondent-Corporation appears and submits that the writ petition is misconceived inasmuch as there is no infirmity in the action taken by the respondents. The petitioner’s objection petition was duly considered and disposed of by a speaking order on 28.06.2015 (Annexure-1) and in view of non-payment of the petitioner’s dues, the impugned order has been passed.

4. Having regard to the submissions of the respondent-Corporation, this Court is not inclined to interfere in the matter. It appears from the averments in the writ petition that Miscellaneous Appeal (Certificate) No. 6/2014 has been filed before the Commissioner, Darbhanga Division, Darbhanga on 14.11.2014 but nothing has been brought on record to indicate the result of such appeal or any interim order has been passed.

5. In the above circumstances, the writ petition stands dismissed.

(Vikash Jain, J)

Md. Ibrarul/BT

AFR/NAFR	NAFR
CAV DATE	N.A.
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