

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.14816 of 2013

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Anil Kumar Pandey S/O Sri Rameshwar Pandey Resident of Village Barheyana,
P.S- Birganj, District- Gopalganj

.... Petitioner/s

Versus

1. The State of Bihar
2. The Collector, Siwan, District- Siwan.
3. The Certificate Officer, Siwan, District- Siwan.
4. The National Insurance Company Ltd. Branch Office Shahi Building Cinema
Road, Gorakhpur, (U.P) At Present Babuniya Road, Siwan, District- Siwan.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Patanjali Rishi, Advocate

For the State : Mr. Raghwanand, GA XI

Mr. Rajan, AC to GA XI

For the Ins. Company : Mr. Ashok Priyadarshi, Adv

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 25-10-2018

The present writ petition has been filed for quashing the final order dated 10.07.2012 passed in Certificate Case No. 7/2003-04 arising out of judgment and award passed on 27.02.2003/08.04.2003 in Claim Case No. 24 of 1999 by the learned Additional District Judge 3rd-cum-Claim Case Tribunal, Gopalganj; and for connected reliefs.

2. At the very outset this Court takes note that the petitioner has adequate remedy by way of appeal under Section 60 of the Bihar and Orissa Public Demands Recovery Act is available against the impugned order passed by the Certificate Officer. The petitioner fairly accepts that such remedy is available.



3. In the above view of the matter, this Court is not inclined to enter into the merits of the matter. The writ petition is disposed of with liberty to the petitioner to file an appropriate appeal against the order of the Certificate Officer.

4. It is made clear that in case such an appeal is filed, the concerned authority would have regard to the present proceeding being pursued by the petitioner while considering any issue relating to condonation of delay, if applicable.

(Vikash Jain, J)

Chandran

AFR/NAFR	NAFR
CAV DATE	NA
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