

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.14543 of 2013

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Rabindra Kumar Pathak S/O Late Ram Krishna Pathak Resident of Village -
Pathak Toli, P.S. - Jehanabad, Dist - Jehanabad

.... Petitioner/s

Versus

1. The State of Bihar
2. The Principal Secretary, Panchayat Raj Department, Govt. Of Bihar, Patna
3. The Commissioner, Purnea Division, Dist - Purnea
4. The District Magistrate, Katihar
5. The Deputy Development Commissioner cum Additional District Programme Co-Ordinator, D.R.D.A. Katihar
6. The Chief Engineer, Technical Expert Cell, Vigilance Department, Govt. Of Bihar, Patna
7. The Executive Engineer Technical Expert Cell Barak No. 3 Main Secretariat Vigilance Department Govt. Of Bihar, Patna
8. The District Certificate Officer, Dist - Katihar

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ramchandra Sahni, Adv
For the Respondent/s : Mr. Sunil kr. Mandal, SC 3
Ms. Neelam Choudhary, AC to SC 3
Mr. Arjun Prasad, AC to SC 3

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 21-08-2018

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

2. The present writ petition has been filed for quashing the enquiry report of Vigilance Technical Expert Cell dated 17.06.2011 as submitted by the Executive Engineer; for quashing the Certificate Case No. 10/2012-13 filed before the District Certificate Officer, Katihar for realizing the amount of Rs. 3,27,178/-; and for connected reliefs.

3. At the very outset learned counsel for the petitioner states on instruction that a petition under Section 9 of the Bihar and Orissa



Public Demands Recovery Act (for short ‘the PDR Act) has been filed on 06.03.2014, which is pending before the Certificate Officer.

4. With the consent of parties, the present writ petition is disposed of with direction to the District Certificate Officer to consider and dispose of the objection petition under Section 9 of the PDR Act said to have been filed by the petitioner, if not already disposed of, on its own merits in accordance with law and in terms of Section 10 of the said Act within a period of four weeks from the date of receipt/production of a copy of this judgment.

5. It is made clear that until disposal of such petition, if filed, the Certificate Officer, Katihar shall not resort to any coercive action for recovery of the dues against the petitioner in Certificate Case No. 10/2012-13.

(Vikash Jain, J)

Chandran/BT

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	27.08.2018
Transmission Date	NA

