

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.8828 of 2018

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Shamshul Haque, son of Late Abdul Karim Mian, resident of Mohalla- Purani
Gudari, P.S.- Bettiah Town, District- West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar through the District Certificate Officer, West Champaran, Bettiah.
2. The Sub- Divisional Certificate Officer, Bettiah, West Champaran.
3. The Assistant Inspector General, Registration, Bihar, Patna.
4. The District Sub- Registrar, West Champaran, Bettiah.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Shrivastava, Adv
For the Respondent/s : Mr. P.N. SHAHI- AAG6

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 28-06-2018

The present writ petition has been filed for quashing the entire certificate proceeding including the notice dated 26.02.2018 under Section 7 of the Bihar and Orissa Public Demands Recovery Act, 1914 (for short 'the PDR Act') issued in Certificate Case No. 1144 of 2017-18 issued under the signature of the Sub-Divisional Certificate Officer, Bettiah, West Champaran for recovery of a sum of Rs. 88,270/- on the requisition filed by the District Sub Registrar, West Champaran, Bettiah under Section 6 of the P.D.R. Act; and for connected reliefs.

2. Learned counsel for the petitioner raises an objection with regard to the authority of the certificate proceeding on the basis of the requisition as issued for recovery of the demand of Rs. 88,270/- by the certificate holder.



3. Learned counsel for the petitioner however submits that objection petition under Section 9 of the PDR Act could not be filed within the statutory time and seeks liberty to file the same, raising objections before the Certificate Officer.

4. None appears on behalf of the respondents, when the matter is called.

5. Having regard to the nature of the prayer of the prayer of the petitioner, the writ petition is disposed of granting liberty to the petitioner to file his objection petition under Section 9 of the PDR Act. If any such objection petition is filed within a period of two weeks from today, the same shall be considered and disposed of by a speaking order in accordance with law after grant of opportunity of hearing to the petitioner.

(Vikash Jain, J)

Chandran/BT

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	02.07.2018
Transmission Date	NA

