

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16199 of 2018

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Dhirendra Kumar Sainik S/o late Shambhu Prasad Resident of Village- Nayi Bazar, P.S. Buxar(Muffasil), District- Buxar.

... .. Petitioner/s

Versus

1. The State of Bihar, through the District Magistrate, Buxar.
2. The District Transport Officer-Cum-District Certificate Officer, Buxar.
3. The Director, Account, Administration and Self Employment, District Rural Development Officer, Chausa, District- Buxar.
4. The Block Development Officer, Chausa, District- Buxar.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar Yadav
For the Respondent/s : Mr. Anjani Kumar- Aag4

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL JUDGMENT

Date : 24-08-2018

Heard learned counsel for the petitioner and the learned counsel appearing on behalf of the State.

2. Petitioner seeks quashing of notice dated 25.06.2018 as contained in Annexure-1, which has been issued as a final warning notice in Certificate Case No. 01/2016-17 and Certificate Case No. 05/2016-17 by which the petitioner has been directed to deposit Rs. 9,89,960/- and Rs. 1,46,000/- respectively by the District Certificate Officer, Buxar without disposing the objection filed by the petitioner under Section 9 of the PDR Act.

3. The petitioner had earlier approached this court in CWJC No. 6682 of 2018, which was disposed off on 08.05.2018



with a direction to the petitioner to file his objection before the District Certificate Officer, Buxar, who would dispose off the same in terms of the provisions of Section 10 of the PDR Act. In pursuance to the said order, the petitioner filed objection on 25.06.2018, which is not being considered.

4. Accordingly, the Respondent No. 2, the District Certificate Officer, Buxar is directed to dispose off the objection filed by the petitioner under Section 9 of the PDR Act by passing a reasoned order in accordance with law considering the submissions of the petitioner.

5. The impugned notice dated 25.06.2018 (Annexure-1) is stayed. However, it is expected that the petitioner will cooperate in the proceedings of the certificate case, as it is evident from Annexure-5 dated 10.07.2018 issued by the District Certificate Officer, Buxar by which the petitioner was asked to appear in Certificate Case No. 01/2016-17 and Certificate Case No. 05/2016-17.

6. The District Certificate Officer, Buxar would not take any steps for recovery of the amount postulated in the said notice dated 25.06.2018 till disposal of the objection filed by the petitioner under Section 9 of the PDR Act.



7. The writ application is disposed off with the said stipulations.

(Nilu Agrawal, J)

Rajesh/Pragya

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	25.08.2018
Transmission Date	NA

