

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Civil Writ Jurisdiction Case No.15518 of 2015**

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Shyam Lal Yadav son of Jodhan Yadav, Resident of village- Jagatpur, P.S.- Sahu  
Parbatta, District- Bhagalpur

.... .... Petitioner

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Old  
Secretariat, Patna
2. The Branch Manager, UCO Bank, Sahu Parbatta Branch, District- Bhagalpur
3. The Sub-Divisional Magistrate, cum Certificate Officer, Naugachia, District-  
Bhagalpur

.... .... Respondents

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**Appearance :**

For the Petitioner : Mr. Rajesh Kumar Pandey, Advocate.  
For the UCO Bank : Mr. Ranjeet Kumar Pandey, Advocate.

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**CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN**

**ORAL JUDGMENT**

**Date: 03-10-2018**

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

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

*“(A) A writ in the nature of certiorari or any other  
appropriate writ, order/orders, direction/directions to the  
respondents concerned to cancel the notice dated  
27.07.2013 passed in Certificate Case No. 10 of 2011-12 by  
the Certificate Officer, Naugachia, District- Bhagalpur  
against the petitioners.*

*(B) To direct the respondent authority to not threat and  
taken any coercive step regarding the notice in Certificate  
Case in question against petitioner.*

*(C) To any other relief/reliefs for which the petitioner is*



*entitled for.”*

3. At the very outset, learned counsel for the petitioner submits that it will suffice if the petitioner is granted liberty to file an objection petition under Section 9 of the Bihar & Orissa Public Demands Recovery Act (for short, “the PDR Act”) before the Certificate Officer, in which event the main reliefs in the writ petition need not be pressed.

4. Learned counsel for the respondents appears and expresses that he has no objection in this regard.

5. Considering the stand of the petitioner, the present writ petition is disposed of granting liberty to the petitioner to file his objection petition under Section 9 of the PDR Act within a period of three weeks from today, which, if done, shall be disposed of by the Certificate Officer on its own merits within a further period of four weeks thereafter in accordance with law and in terms of Section 10 of the said Act.

6. The writ petition is disposed of with the aforesaid liberty.

**(Vikash Jain, J)**

Md. Ibrarul/Chandran

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