

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20743 of 2013

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Ram Sharan Sinha @ Ram Sharan Singh @ Bara Babu son of Late Jaldhari Singh, resident of Malti Bedouliya, P.S- Ujiarpur, District- Samastipur.

.... Petitioner

Versus

1. The State of Bihar through the District Magistrate, Samastipur.
2. The Sub-Divisional Officer-cum-Certificate Officer, Dalsinghsarai Samastipur.
3. The Block Development Officer, Ujiarpur, P.S- Ujiarpur, District- Samastipur.

.... Respondents

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Appearance :

For the Petitioner : Mr. Sanjay Kumar Mishra, Advocate

For the Respondents : Ms. Shailly Kumar, AC to Sc 24

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 27-08-2018

Heard learned counsel for the petitioner as well as
learned counsel for the respondents.

2. The present writ petition has been filed for quashing the order dated 13.05.2013 and consequential orders as passed by Sub-Divisional Certificate Officer, Dalsingh Sarai as well as entire proceeding of Certificate case No. 01 of 2012-13.

3. At the very outset, this Court takes note that the impugned order has been passed disposing of the objection petition filed under Section 9 of the PDR Act against which the petitioner has statutory remedy under Section 60 of the PDR Act by way of filing appeal.

4. In the above view of the matter, this Court is not inclined to enter into the merits of the matter. The writ petition stands



disposed of granting liberty to the petitioner to prefer an appeal against the impugned order dated 13.05.2013 passed by the Respondent No. 2 in Certificate case No. 01 of 2012-13, if so advised, in terms of the provisions of the PDR Act which, if filed, should be considered and disposed of on its own merits and in accordance with law.

5. 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)

B.T/Chandran

AFR/NAFR	NAFR
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