

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.2126 of 2018

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Most. Urmila Devi, wife of Late Ram Chandra Ram, resident of Village- Warsaliganj, P.S.- Warsaliganj, District- Nawadah.

.... Petitioner

Versus

1. The State of Bihar through the District Magistrate, Nawada.
2. The Deputy Development Commissioner, Nawada.
3. The Sub- Divisional Officer, Sadar, Nawada. null null
4. The District Certificate Officer, Nawada.
5. The Block Development Officer, Warsaliganj, Nawada.
6. The Block Supply Officer, Warsaliganj, Nawada.

.... Respondents

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Appearance :

For the Petitioner	:	Mr. Kaushal Kumar Jha Mr. Amish Kumar Mr. Shankar Kumar Choudhary Mr. Krishna Chandra Jha, Advocates.
For the Respondents	:	Mr. Arvind Ujjwal, SC-4

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 27-03-2018

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

2. It is submitted on behalf of the petitioner that the entire proceedings in Certificate Case No. 21/2011-12 against the petitioner in terms of Section 7 of the Bihar & Orissa Public Demands Recovery Act for short, "the Act") for recovery of the dues amounting to Rs. 20,29,641/- are wholly illegal and liable to be quashed.

3. It is further submitted that an objection petition under Section 9 has already been filed by the petitioner but the Certificate Officer has not yet disposed of the same.



4. Having regard to the averment made to the above effect in paragraph-4 of the supplementary affidavit, with the consent of the parties, the present writ petition is disposed of with direction to the Certificate Officer, Nawada to consider and dispose of the objection petition under Section 9 of the Act said to have been filed by the petitioner, if still pending, 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 coy of this judgment.

5. It is made clear that until disposal of such objection petition, the Certificate Officer, Nawada, shall not resort to any coercive action for recovery of the dues against the petitioner in Certificate Case No. 21/2011-12.

(Vikash Jain, J)

Md. Ibrarul/BT

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	28.03.2018
Transmission Date	N.A.

