

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.6027 of 2018

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Tamne, Son of Israrul Haque, resident of Village Bahaur, Police Station Nanpur,
District Sitamarhi

.... Petitioner

Versus

1. The State of Bihar, through the Chief Secretary, Government of Bihar at Patna.
2. The Principal Secretary, General Administration, Government of Bihar at Patna.
3. The Principal Secretary, Revenue Department, Government of Bihar at Patna.
4. The Commissioner, Division Muzaffarpur, District Muzaffarpur.
5. The Collector, District Sitamarhi.
6. The District Certificate Officer, District Sitamarhi.
7. The Branch Manager, I.D.B.I. Bank, Branch Sitamarhi, District Sitamarhi

.... Respondents

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Appearance :

For the Petitioner : Mr. Saghir Ahmad, Advocate
For the State : Mr. Rampravesh Nath Tiwary, AC to SC 25
For Respondent-IDBI : Mr. Shivendra Kr. Roy,
Mr. Jitendra Kr. Roy, Advocates

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 26-06-2018

Heard learned counsel for the petitioner, learned counsel
for the State as well as learned counsel for the respondent-Bank.

2. The present writ petition has been filed, inter alia, for directing the District Certificate Officer, Sitamarhi (respondent no. 6) first to determine the loan amount due from the petitioner in Certificate Case No. 04 of 2017-18; and for connected reliefs.

3. Pursuant to the order dated 06.04.2018, the petitioner has since been released from custody having been apprehended on



22.02.2018.

4. Having regard to the nature of the grievance raised in the writ petition and after hearing the parties, this Court is of the view that the ends of justice will be met if the petitioner is granted liberty to approach the District Certificate Officer, Sitamarhi (respondent no. 6) with an objection petition under Section 9 of the Bihar & Orissa Public Demand Recovery Act within a period of two weeks from today. If any such petition is filed within the stipulated period, the same shall be considered and disposed of in accordance with law and in terms of Section 10 of the said Act.

5. It is made clear that until disposal of such petition, if filed, the District Certificate Officer, Sitamarhi shall not resort to any coercive action for recovery of the dues against the petitioner in Certificate Case No. 04/2017-8.

6. The writ petition stands disposed of.

(Vikash Jain, J)

B.T/Chandran

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	01.07.2018
Transmission Date	N.A.

