

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14635 of 2018

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1. Andhara Primary Agriculture Credit Society Ltd. incorporated under Bihar and Orissa Co-operative Societies Act, 1953 through Secretary- Samiullah, S/o- Sabibullah R/o- Village- Latiyahi, P.O.- Andhara, P.S.- Adapur, District- East Champaran.
 2. Sabibullah, S/o- Sheikh Safi Ahmed, R/o- Village- Latiyahi, P.O. Andhara, P.S.- Adapur, District- East Champaran, The Chairman of Andhara Primary Agriculture Credit Society, East Champaran.
 3. Samiullah, S/o- Sabibullah, R/o- Village- Latiyahi, P.O.- Andhara, P.S.- Adapur, District- East Champaran, Secretary of Andhara Primary Agriculture Credit Society, East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar, through Principal Secretary, Food & Consumer Protection Department of Bihar.
2. The Principal Secretary, Department of Co-operative, State of Bihar, Patna.
3. The Registrar, Co-operative, Bihar, Patna.
4. The District Collector, District- East Champaran.
5. The District Co-operative Officer, East Champaran.
6. The Branch Manager, Bihar State Cooperative Bank Limited, East Champaran.
7. The Certificate Officer, District- East Champaran.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Krishna Mohan Mishra, Adv.
For the Respondent No.6 : Mr. Nishi Nath Ojha, Adv.
For the Respondent No.8 : Mr. Bindhyachal Rai, Adv.

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

5 24-09-2018

The short issue involved in the present writ petition is that despite the petitioners having filed a valid objection under Section 9 of the Bihar and Orissa Public Demand and Recovery Act, 1914, the Certificate Officer has not disposed of the said objection and is proceeding in the matter.

In view of the short prayer made by the learned



counsel for the petitioners, the present writ petition is disposed of with a direction to the Certificate Officer, East Champaran, Motihari to dispose of the objection of the petitioner within a period of three months from today, by a reasoned and speaking order.

At this juncture, the learned counsel for the petitioners submits that the petitioner be granted one more opportunity to file a supplementary objection, if any.

Accordingly, the petitioners are granted liberty to file supplementary objection within a period of four weeks from today and in case no supplementary objection is filed within a period of four weeks from today, the Certificate Officer shall proceed ex parte. However, till the passing of the final order by the certificate officer, it is directed that no coercive action shall be taken against the petitioners.

(Mohit Kumar Shah, J)

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