

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.954 of 2019

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Suresh Prasad Yadav (M), aged about 57 years, son of Bikrama Prasad Yadav,
resident of village-Sikandarpur, P.S.-G.B. Nagar Tarwara, District-Siwan.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Principal Secretary (Higher) Human Resources Department, Govt. of Bihar, Patna.
2. The District Magistrate-cum-Collector, Siwan.
3. The District Programme Officer (Planning & Accounts) Education, Siwan, District-Siwan.
4. The Certificate Officer, Siwan, District-Siwan.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Ramadhar Shekhar, Adv.
For the Respondent/s : Smt. Shilpa Singh, G.A.-XII

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 04-02-2019 Learned counsel for the petitioner submits that the Certificate Officer is not making him available a certified copy of the requisition which was applied for by the petitioner. It is submitted that as a result of non-availability of the required document, he was unable to put his reply to the show cause notice. Learned counsel submits that, in the meantime, warrant of arrest has been issued against the petitioner.

Ms. Shilpa Singh, learned G.A.-XII appears on behalf of the State. Learned counsel submits that this writ application is not fit to be entertained as the petitioner, despite several opportunities granted to him and being fully aware of the certificate proceeding, has failed to appear and file his



reply/objection.

In the given facts and circumstances of the case, this Court is of the considered opinion that the petitioner should first file his objection in the certificate proceeding by putting appearance before the Certificate Officer within a period of two weeks from today. In case, he applies for certified copy of any of the document available on the record, the same shall also be made available to the petitioner subject to his complying with the conditions for obtaining certified copy within a period of one week from the date of requisition. For a period of two weeks from today, the warrant of arrest, if any, issued against the petitioner shall not be executed. Once he appears before the Certificate Officer and files his objection within the given period, the Certificate Officer shall consider the request of the petitioner for withdrawing the warrant of arrest.

The application stands disposed off accordingly.

(Rajeev Ranjan Prasad, J)

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