

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5205 of 2019

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Anil Kumar Singh @ Anil kumar, aged about 39 years, Male, S/o Sri Bairister Singh, resident of Village- Pareman Tola, P.O. Kasdewra, Bangra, P.S. Maharajganj, District- Siwan.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Mines Department, Bihar, Patna.
2. District Magistrate, Siwan.
3. Certificate Officer, Siwan.
4. District Mines Officer, Siwan.
5. Mines Inspector, District Mines Office, Siwan.
6. The Circle Officer, Maharajganj, District- Siwan.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Ramadhar Shekhar, Advocate
For the State	:	Mr.Gyan Praksh Ojha (GA7)
		Mr. Abhishek Singh, AC to GA7
For the Mines	:	Mr. Naresh Dikshit, Sp. P.P. Mines
		Ms. Kalpana, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 05-11-2019 Although the petitioner is looking for quashing of the Certificate Case No. 09/09-10 said to have been initiated against the petitioner for recovery of a sum of Rs. 1,17,181.00 under Section 38 of the Bihar & Orissa Public Demands Recovery Act, 1914, with the writ application no document pertaining to the said certificate proceeding has been enclosed.

Learned counsel for the petitioner is not even



aware of the stage of the certificate proceeding and it is not known as to whether or not the certificate proceeding has been disposed off after final determination. All that the petitioner wants is to get a stay of the execution of the warrant of arrest said to have been issued in the certificate proceeding.

Learned counsel for the State submits that there is no reason to interfere with certificate proceeding as the petitioner is not appearing in the certificate case which is pending for the last about 10 years.

In the aforesaid view of the matter, this court is not willing to entertain the Writ Application. No relief may be granted in the present case.

The petitioner, if so advised, may appear before the Certificate Officer and take appropriate steps in accordance with law.

Learned counsel for the Petitioner submits that he has made a requisition for the certified copy of the orders passed in the certificate proceeding but the same is not being supplied. If it is so, the Certificate Officer,



Siwan (Respondent No. 3) shall look into the matter and in case the petitioner has applied for the certified copy of the orders passed in the certificate case, the same shall be supplied to the petitioner on furnishing requisite fee within a period of two weeks from the date of receipt/production of this order.

(Rajeev Ranjan Prasad, J)

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