

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5453 of 2019

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Brij Bihari Singh Son of Ramadhir Singh, Resident of Village-Chausa, P.S.-
Buxar (Muffasil), Dist-Buxar.

... .. Petitioner

Versus

1. The State of Bihar through Principal Secretary, Department of Rural Development, Govt. of Bihar, Patna.
2. The District Magistrate-cum-Collector, Buxar.
3. The Director Accounts, Administration and self employment, District Rural Development Officer, Chausa.
4. The Block Development Officer, Chausa, Buxar.
5. The District Certificate Officer, Buxar.

... .. Respondents

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Appearance :

For the Petitioner/s : Mr.Akash Chaturvedi, Advocate
For the Respondent/s : Mr.Sanjay Prasad, AC to AAG-4

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 07-11-2019 Petitioner in the present case is aggrieved by and dissatisfied with the notice dated 11.02.2019 issued by the District Certificate Officer, Buxar as contained in Annexure '5' to the writ application in Certificate Case No. 01 of 2016-17. By the said notice the petitioner has been called upon to deposit the amount determined by the Certificate Officer under Section 10 of the Bihar and Orissa Public Demands Recovery Act, 1914 (hereinafter referred to as the 'Act of 1914').

The notice also states that the objection preferred by the petitioner under Section 9 of the Act of 1914 on 25.06.2018 has already been rejected.



In Paragraph '14' of the writ application the petitioner has stated that the objection of the petitioner has been decided/disposed off but no order to the said effect has been given to the petitioner. He is further stated that in spite of repeated request/demand by the petitioner no copy of the order has been given to him which shows that the respondent concerned has not passed any order as required in law.

Learned counsel for the State submits that if this stand of the petitioner that he is not being provided a copy of the order passed by the District Certificate Officer, an appropriate direction may be issued to the Certificate Officer to make available the petitioner the certified copy of the order passed by him on the petitioner filing requisition and the requisite fee for the said purpose.

In the given facts and circumstances of the case, this writ application is being disposed off granting liberty to the petitioner to submit a requisition with the required fee for making available the certified copy of the order said to have been passed by the Certificate Officer (Respondent No. 5) on the objection preferred by the petitioner. If the requisition is made by the petitioner within the period of two weeks, the District Certificate Officer, Buxar (Respondent No. 5) shall make



available a certified copy of the order passed by him by which he has determined the liability of the petitioner or any such order which may be applied for subject to the payment of fee within a period of next two weeks, thereafter the petitioner may seek his remedy against such order in accordance with law. For a period of four weeks from today, no coercive action shall be taken against the petitioner.

(Rajeev Ranjan Prasad, J)

vats/ved

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