

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.16222 of 2019**

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Dhaneshwar Paswan son of Amir Paswan, Resident of Village- Sarsaila Khurd, P.O.- Sheohar, P.S. Sheohar, District- Sheohar.

... .. Petitioner

Versus

1. The State of Bihar through the Chief Secretary, Govt. of Bihar, Old Secretariat, Patna.
2. The Collector, Sheohar, District- Sheohar.
3. The Deputy Collector Land Reforms-cum- District Certificate Officer, Sheohar, Distt- Sheohar.
4. The Managing Director, Bihar State Scheduled Castes Co-operative Development Corporation.
5. Shyamali Das, District Executive Officer, Bihar State Schedule Caste Co-operative Development Corporation, Sheohar.

... .. Respondents

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**Appearance :**

For the Petitioner/s : Mr.Manendra Kumar Sinha, Advocate  
For the Respondent/s : Mr.Md.Khurshid Alam (Aag12)

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**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD**  
**ORAL ORDER**

2      18-10-2019                      The grievance of the petitioner is that even though he has filed an objection petition Certificate Case No. 20/18-19, without considering the same the respondent D.C.L.R.-cum- District Certificate Officer, Sheohar has proceeded to take coercive action against the petitioner. In the writ application a specific statement has been made that after getting knowledge of the certificate case the petitioner appeared before the Certificate Officer on 28.05.2019 and has demanded the detail statement of the accounts. He has also submitted that he would ready to pay the actual loan amount after adjustment of the



earlier paid amount in few installments. These have been done by submitting a written objection with regard to chargeability of the interest on the loan amount.

Learned counsel for the petitioner submits that whatever be the result of consideration of the objection petition preferred by the petitioner, at this stage at least the District Certificate Officer is not justified in taking a coercive action.

Learned counsel for the State submits that in view of the statements made in the writ application it may be disposed off with a direction to the D.C.L.R.-cum-District Certificate Officer, Sheohar (Respondent No. 3) to consider the objection of the petitioner, examine the same and pass an appropriate order determining the liability of the petitioner whereupon the petitioner may proceed to determining the liability.

In the given facts and circumstances of the case, this writ application is being disposed off with the direction to the D.C.L.R.-cum-District Certificate Officer, Sheohar (Respondent No. 3) to look into the objection petition of the petitioner, consider the same and pass an appropriate order thereon. Till consideration of the objection petitioner and final determination of the liability, no coercive action shall be taken against the petitioner. The warrant of arrest, if any, issued against the



petitioner shall not be executed.

**(Rajeev Ranjan Prasad, J)**

vats/ved

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