

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.25370 of 2019

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Rakesh Kumar Singh @ Rakesh Singh, son of Sri Ramesh Singh, Resident of
Village- Jorar, P.O.- Badaura, P.S.- Ramgarh, District- Kaimur.

... .. Petitioner/s

Versus

1. The State of Bihar, through the Principal Secretary, Department of Mines and Minerals, Bihar, Patna.
2. The Collector, Kaimur, Bhabua.
3. The Certificate Officer- Cum- Sub - Divisional Officer, Mohania.
4. The Assistant Mining Officer, Kaimur, Bhabhua.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Arun Kumar Singh, Advocate
For the Respondent/s	:	Mr. Gyan Prakash Ojha (GA 7)
		Mr. Sushil Kr. Singh, Advocate
For the Mining	:	Mr. Naresh Dikshit, Advocate
		Ms. Kalpana, Advocate

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL JUDGMENT

Date : 19-12-2019

The petitioner has approached this Court against the orders dated 01.03.2018/18.04.2018/19.04.2018 passed by the certificate officer, Mohania, Kaimur whereby distress warrant has been issued against the petitioner for realization of the certificate amount.

The sole ground on which this petition has been pressed is that there was no notice to the petitioner with respect to the aforesaid certificate proceedings. The entire order sheet of the certificate court has been annexed with the petition which indicate that though notices were issued but there is no endorsement with respect to service of notice on the petitioner.



Considering the aforementioned aspect of the matter, this Court directs that in case the petitioner approaches the certificate officer with an objection petition within a period of three weeks, the same shall be entertained and an order shall be passed on such objection petition. In the meantime, the order issuing distress warrant against the petitioner shall remain in abeyance.

If the petitioner does not file the objection petition within the time stipulated by this Court, the certificate officer will proceed against the petitioner in accordance with law.

With the aforesaid direction/observation, the writ petition stands disposed of.

(Ashutosh Kumar, J)

krishna/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	20.12.2019
Transmission Date	

