

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.25017 of 2019

=====

Ram Suresh Tiwari S/o Late Ram Ruchi Tiwari, Proprietor of M/s baba Bishwnath Ji Mini Rice Mill R/o Vill- Torni, P.S.- Kargahar, Dist- Rohtas.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Food and Civil Supply Govt. of Bihar, Patna.
2. The Managing Director, Bihar State Food and Civil Supply Corporation Ltd. Khadya Bhawan, Patna.
3. The District Magistrate, Rohtas, Sasaram.
4. The Certificate Officer, Rohtas, Sasaram.
5. The District Manager, Bihar State Food and Civil Supplies Corporation, Ltd. Rohtas, Sasaram.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s	:	Mr.Jai Prakash Singh
For the Respondent/s	:	Mr. Alok Ranjan, AC to A.A.G. - 5
For the BSFC	:	Mr. Shailendra Kumar Singh, Advocate

=====

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 13-12-2019 Heard the learned counsel for the parties.

The petitioner has challenged the order dated 11.01.2016 and 10.20.2016 passed by the Certificate Officer in Certificate Case No. 32/15-16, issuing distress warrant against the petitioner on the first date, without ensuring the service of notice to the petitioner under Section 7 of the Bihar and Orissa Public Demands Recovery Act, 1914.

Admittedly, the petitioner has not been



provided with an opportunity of filing his objection petition under Section 9 of the Act.

This Court therefore directs that the petitioner should appear before the Certificate Officer with an objection petition within a period of four weeks from today.

In the meantime, the order issuing distress warrant against the petitioner shall remain stayed.

The objection petition of the petitioner shall be disposed off in accordance with law after giving an opportunity of hearing to the petitioner.

With the aforesaid observation / direction, this petition stands disposed off.

(Ashutosh Kumar, J)

skm/-

U			
---	--	--	--

