

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1756 of 2020

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Rajesh Kumar Verma Son of Late Parabhu Narayan Prasad, Resident of Mohalla- Agarwa Sri Krishnanagar, P.S.- Motihari Town, District- East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The Director, Panchayati Raj Department, Govt. of Bihar, Patna.
3. The Secretary Panchayati Raj Department Govt. of Bihar, Patna.
4. The Special Officer Panchayati Raj Department Govt. of Bihar, Patna.
5. The Lokayukt, Bihar, Patna, V, Lok (Panchayat Raj).
6. The District Collector Motihari, East Champaran.
7. The District Panchayat Raj Officer, East Champaran.
8. The Center Superintendent- cum-Deputy Director, Panchayati Raj, Tirhut Pramandal, Muzaffarpur.
9. The Public Information Officer-cum-Deputy Secretary, Excise and Registration department, Govt. of Bihar, Patna.
10. The Certificate officer, East Champaran, Motihari.
11. Rameshwar Sah, Son of Late Sukhlal Sah, R/o Village Sariyatpur, P.O. Damodarpur, P.S. Pipra, District- East Champaran.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Vijay Shankar Shrivastava
For the Respondent/s : Mr.Kumar Alok (Sc7)

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL JUDGMENT

Date : 24-02-2020

Heard Mr. Rajesh Kumar, learned counsel for the petitioner and Mr. Prem Ranjan Raj, for the State.

The petitioner is aggrieved by the initiation of a proceeding under the Bihar and Orissa Public Demands Recovery Act, 1914. The petitioner stands further



aggrieved by the fact that distress-warrant has been issued against him in the Certificate Case No. 3 of 2016-17, even though the proceeding could not have been initiated against him.

The proceeding against the petitioner and two others appears to have begun on the orders passed by the *Lokayukta*, where though the petitioner was heard, but with a wrong designation.

The amount which is sought to be recovered from the petitioner is an amount which may be recoverable under the Bihar and Orissa Public Demands Recovery Act, 1914 but according to the petitioner, the same cannot be recovered from him.

The petitioner is directed to file his objection petition before the Certificate Officer, East Champaran, Motihari (Respondent No.10) within a period of 60 days, detailing all the grounds which have been raised here. The concerned Certificate Officer shall be under an obligation to look into the entire aspects of the matter and dispose off



the representation by a reasoned order within a further period of 60 days.

Till the time the objection petition preferred by the petitioner is disposed off, no coercive steps shall be taken against him.

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

The Interlocutory Application also stands disposed off in view of the order passed in the main writ petition.

(Ashutosh Kumar, J)

skm/-

AFR/NAFR	N.A.F.R.
CAV DATE	
Uploading Date	25.02.2020
Transmission Date	

