

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2378 of 2020

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Sadanand Singh @ Sadananda Singh S/o Late Tarni Singh @ Tarani Singh
Resident of Village- Aina, P.S.- Mahishi, District- Saharsa.

... .. Petitioner

Versus

1. The State of Bihar through the Secretary, Food and Consumer Protection Department, Bihar, Patna.
2. The Secretary, Food and Consumer Protection Department, Bihar, Patna.
3. The Sub Divisional Officer, Sadar, Saharsa.
4. The District Certificate Officer, Saharsa.
5. The Block Supply Officer, Mahishi, District- Saharsa.

... .. Respondents

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Appearance :

For the Petitioner	:	Mr. N.K. Agrawal, Sr. Adv. Mr.Dhananjaya Nath Tiwari, Adv.
For the Respondent/s	:	Mr.Arvind Ujjwal (Sc4)

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 24-02-2020 The present writ petition has been filed for quashing of the Certificate proceedings bearing Certificate Case Numbered as Misc. Case No. 25 of 2019-20 pending before the Certificate Officer, Saharsa.

The learned senior counsel appearing for the petitioner submits that the petitioner would be filing objection under Section 9 of the Bihar and Orissa Public Demand Recovery Act, 1914 (hereinafter referred to as 'the Act, 1914') within a period of four weeks from today, hence, till the passing of the final orders by Certificate Officer, the further proceedings of the certificate case be stayed.



Having regard to the short prayer made by the learned senior counsel, I deem it fit and proper to grant liberty to the petitioner to file objection under Section 9 of the Act, 1914 before the Certificate Officer, Saharsa in Misc. Case No. 25 of 2019-20 within a period of four weeks from today, and in case such an objection is filed, the learned Certificate Officer shall pass final orders under Section 10 of the Act, 1914, thereafter.

It is needless to state that in case no objection is filed under Section 9 of the Act, 1914 within a period of four weeks from today, the learned Certificate Officer shall be free to pass *ex-parte* orders.

The writ petition stands disposed of on the aforesaid terms, however with a further direction that no coercive steps shall be taken against the petitioner till the passing of the final order under Section 10 of the Act, 1914 by the learned Certificate Officer, Saharsa.

(Mohit Kumar Shah, J)

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