

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2826 of 2020

Chandan Kumar S/O Shri Vijay Kumar, Asst. Manager SFC resident of Village Ramdhanpur near Mahatma Gandhi School P.O.- Gaya, P.s.- Kotwali, District- Gaya.

... .. Petitioner

Versus

1. The District Manager, Bihar State Food Corporation Vaishali
2. The State of Bihar through the District Certificate Officer, Vaishali.
3. The District Magistrate, Vaishali.

... .. Respondents

Appearance :

For the Petitioner	:	Mr.Rajendra Prasad
For the Respondents	:	Mr.S. Raza Ahmad (Aag5)

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 26-02-2020 The present writ petition has been filed for quashing the certificate proceedings initiated by the Certificate Officer, Vaishali bearing Certificate Case No. 05 of 2019-20.

The learned counsel for the petitioner has submitted that the petitioner would be filing his objection under Section 9 of the Bihar and Orissa Public Demand Recovery Act, 1914 (hereinafter referred to as 'the Act, 1914'), hence, the Certificate Officer, Vaishali be directed to deal with the same and pass final orders and till then interim protection be granted.

Having regard to the facts and circumstances of the case and the short prayer made by the learned counsel for the petitioner, I deem it fit and proper to dispose of the present writ petition with liberty to the petitioner to file objection under



Section 9 of the Act, 1914 within a period of four weeks from today, and in case such a petition is filed, the learned Certificate Officer, Vaishali shall consider the same and pass final orders under Section 10 of the Act, 1914.

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

The writ petition stands disposed on on the aforesaid terms, however, with a further direction that till the passing of the final orders under Section 10 of the Act, 1914, no coercive action shall be taken against the petitioner, herein.

(Mohit Kumar Shah, J)

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