

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2357 of 2020

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Binod Kumar S/o Late Shambhu Mehta Resident of Village, P.O. and P.S.-
Jamhor, District- Aurangabad.

... .. Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Food and Civil Supply Department, Government of Bihar, Patna.
2. The Principal Secretary, Food and Civil Supply Department, Government of Bihar, Patna.
3. District Magistrate Cum- District Certificate Officer, Aurangabad.
4. District Manager, Bihar State Food Corporation, Aurangabad.

... .. Respondents

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Appearance :

For the Petitioner	:	Mr.Arbind Kumar Singh, Adv.
For the BSFC	:	Mr.Nirmal Kumar, Adv.
For the Respondents	:	Mr.Alok Ranjan, Adv.

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 24-02-2020 Heard the learned counsel for the petitioner and the
learned counsel for the respondents.

The present writ petition has been filed for quashing
the entire proceedings pertaining to certificate case No. 265 of
2018-19 pending before the Certificate Officer, Aurangabad.

The learned counsel for the petitioner has submitted
that though notice under Section 7 of the Bihar and Orissa
Public Demand Recovery Act, 1914 (hereinafter referred to as
'the Act, 1914') has been given to the petitioner, however, the
certificate has not been given to the petitioner.

The learned counsel for the petitioner submits that in



case the petitioner approaches the learned Certificate Officer, Aurangabad within a period of two weeks from today, the certificate would definitely be handed over to the petitioner and this court may further make the proceedings time bound so that the petitioner does not make lame excuses before the Learned Certificate Officer, Aurangabad.

Having regard to the facts and circumstances of the case, I deem it fit and proper to dispose of the present writ petition with liberty to the petitioner to approach the Certificate Officer, Aurangabad within a period of six weeks from today for grant of the certificate, whereupon the Certificate Officer, Aurangabad shall supply a copy of the certificate to the petitioner. It is further directed that in case the petitioner desires to file any objection, he would file the same within a period of eight weeks from today, whereafter, the learned Certificate Officer, Aurangabad shall pass the final orders under Section 10 of the Bihar and Orissa Public Demand Recovery Act, 1914.

It is needless to state that in case the petitioner fails to follow the aforesaid timeline, fixed by this Court, the Certificate Officer, Aurangabad would be free to pass *ex parte* orders.

The writ petition stands disposed of on the aforesaid terms, however, with a direction that till the passing of the final



orders under Section 10 of the Act, 1914, by the Certificate Officer, Aurangabad, no coercive steps shall be taken against the petitioner herein.

(Mohit Kumar Shah, J)

K.K.RAO/-

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