

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.5859 of 2019**

Abhishek Kishore @ Abhishek Krishna S/o Parshuram Rai R/o Pahaleza,  
Shahpur, Diyara, P.S. and Block-Sonpur, District-Chapra, Pin Code-841101,  
Bihar

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Department of Transport,  
Government of Bihar, Vishwesaraiya Bhawan, Bailey Road, Patna-800015
2. The Transport Commissioner Government of Bihar, Vishwesaraiya Bhawan,  
Bailey Road, Patna-800015
3. Joint Transport Commissioner cum Secretary Regional Transport Authority  
cum Certificate Officer Patna Division, Bankipur, Patna
4. District Transport Officer, Patna Biscomaun Bhawan, South Gandhi Maidan,  
Patna-800001

... .. Respondent/s

**Appearance :**

For the Petitioner/s : Mr.Sanjay Kumar Pandey  
For the Respondent/s : Mr.Lalit Kishore ( AG )

**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH**  
**ORAL ORDER**

3      24-02-2020                      The present writ petition has been filed challenging the order dated 12.01.2019, issued by the Certificate Officer, Patna, whereby and whereunder notice has been issued to the petitioner that in case he does not deposit the public demand in question, his property would be attached.

At this juncture, the learned counsel for the petitioner submits that the petitioner would be filing an 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 and in case such an objection is filed, the Certificate Officer, Patna be directed to consider the same and pass



appropriate orders and till then the petitioner be granted some protection.

Having regard to the short prayer made by the learned counsel for the petitioner, I deem it fit and proper to dispose off the present 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 an objection is filed, the same shall be considered on merits and thereafter final orders under Section 10 of the Act 1914 shall be passed by the Certificate Officer, Patna.

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

It is further directed that till the passing of the final order under Section 10 of the Act 1914 by the Certificate Officer, Patna in connection with Certificate Case No. 67 of 2018-19, no coercive steps shall be taken against the petitioner herein.

The writ petition stands disposed off on the aforesaid terms.

**(Mohit Kumar Shah, J)**

S.Sb/-

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