

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16236 of 2019

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Yogendra Paswan Son of Anandi Paswan @ Anandu Paswan, resident of
Village- Panapur Sukhanand, Police Station and Block- Bidupur, District-
Vaishali at Hajipur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Panchayati Raj, Govt. of Bihar, Patna.
2. The District Magistrate, Vaishali at Hajipur.
3. The District Panchayat Raj Officer, Vaishali at Hajipur.
4. The Certificate Officer, Vaishali at Hajipur.
5. The Block Development Officer, Mahnar, District- Vaishali at Hajipur.
6. The Officer Incharge Police Station- Deshari, District- Vaishali at Hajipur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Jitendra Kumar Roy
For the Respondent/s : Mr.Kameshwar Prasad Gupta (Gp10)

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

7 13-02-2020 Apropos the earlier order of this Court, it is

again recorded that the petitioner contends that he was

not served with any notice under Section 7 of the Bihar

and Orissa Public Demands Recovery Act, 1914 and

therefore, no distress warrant could have been issued

against him.

It further appears from the records that a

counter affidavit though was filed but was found to be a

wrong counter affidavit which was required to be filed in



another case. No fresh counter affidavit has been filed on behalf of the State.

Be that as it may, in the event of the respondent not controverting the aforesaid statement of the petitioner that he has not been served with a notice under Section 7 of the Act, this Court provides that in case an objection petition is filed before the Certificate Officer within a period of three weeks from today, the same shall be entertained and a reasoned order be passed on such petition.

Till the time the petition is finally disposed off, no coercive steps shall be taken against the petitioner.

This writ petition stands disposed off accordingly.

(Ashutosh Kumar, J)

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