

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.25814 of 2019

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Dharm Nath Singh, Son of Late Ram Ashish Singh, Resident of Mohalla-Tola, Prabhu Nath Nagar, P.S. Chhapra Mufassil, District-Saran at Chhapra.

... .. Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Department of Civil Supplies, Bihar, Patna.
2. The Managing Director, Bihar State Food and Civil Supplied Corporation Ltd., Bihar, Patna.
3. The District Magistrate, Siwan.
4. The District Manager, State Food Corporation, Siwan.
5. The Addl. Collector-cum-District Certificate Officer, Siwan.
6. The Officer-in-charge, Police Station Mahrajganj, District-Siwan.

... .. Respondents

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Appearance :

For the Petitioners	:	Mr.Vijay Kumar, Advocate
For the State	:	Mr. Maruthi Nath Roy, A.C to S.C 4
For the BSFC	:	Mr. Sanjeev Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 13-02-2020 The present writ petition has been filed for stay of the order dated 17.07.2014, passed by the Certificate Officer, Siwan in Certificate Case No. 7 of 2014-15, whereby and whereunder, a sum of Rs. 26.81 lakhs approximately has been demanded from the petitioner.

The learned counsel for the petitioner has submitted that though the petitioner has filed an objection (Annexure-6 to the writ petition) before the Certificate Officer, Siwan in the ongoing proceedings, however, no order has been passed thereupon and instead, a warrant of arrest has been issued.



Per contra, the learned counsel for the respondents submits that the Certificate Officer would definitely pass the final orders under ***Section 10 of the Bihar & Orissa Public Demand Recovery Act, 1914.***

Having regard to the facts and circumstances of the case, I deem it fit and proper to direct the Certificate Officer, Siwan to pass the final orders in the ongoing certificate case No. 7 of 2014-15, after considering the objection filed by the petitioner herein as also after considering any additional objection to be filed by the petitioner, for which this Court grants liberty to the petitioner to do so within a period of two weeks from today. It is expected that the final orders shall be passed by the Certificate Officer, Siwan in the aforesaid proceedings within a period of 12 weeks from today. It is further directed that till the passing of the final orders by the Certificate Officer, Siwan, no coercive steps shall be taken against the petitioner herein.

The present writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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