

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.85 of 2020

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Kumar Vishwa Deepak Singh, Son of Sri Dhananjay Prasad Singh, Resident
of Village-Gamhariya, Police Station-Belaon, District-Kaimur at Bhabhua.

... .. Petitioner/s

Versus

1. The State of Bihar through the Collector, Kaimur at Bhabhua.
2. The Certificate Officer, Kaimur at Bhabhua.
3. Madhya Bihar Gramin Bank through its Chairman, Madhya Bihar Gramin Bank, Patna, Bihar.
4. The Regional Officer, Madhya Bihar Gramin Bank, Kaimur at Bhabhua.
5. Branch Manager, Madhya Bihar Gramin Bank, Bhabhua Branch, District-Kaimur at Bhabhua.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Jitendra Prasad Singh
For the Respondent/s	:	Ms.Nutan Kumari Sharma, A.C. to S.C. 21
For the M.B.G Bank	:	Dr. Anand Kumar, Adv.

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 14-02-2020 Heard the learned counsel for the petitioner and the

learned counsel for the State.

The present writ petition has been filed for setting
aside the order dated 03.12.2019 passed by the Certificate
Officer, Kaimur at Bhabua in case No. 10(B) of 2015-16
whereby and whereunder, without adjudicating upon the
objection filed by the petitioner, a warrant of arrest has been
issued against the petitioner.

The learned counsel for the petitioner has submitted
that the petitioner has admittedly filed an objection under
Section 9 of the Bihar and Orissa Public Demand Recovery Act,



1914 (hereinafter referred to as 'the Act, 1914'), however, the same has not been considered and instead a warrant of arrest has been issued.

The learned counsel for the State submits that in case no order has been passed under Section 10 of the Act, 1914, upon consideration of the objection filed by the petitioner under Section 9 of the Act, 1914, the Certificate Officer, Kaimur at Bhabua shall definitely pass final order within a period stipulated by this Court.

Having regard to the facts and circumstances of the case, I deem it fit and proper to dispose of the present writ petition with a direction to the Certificate Officer, Kaimur at Bhabua to dispose of the pending case No. 10 (B) of 2015-16 by passing final order, after considering the objection filed by the petitioner under Section 9 of the Act, 1914, within a period of six weeks from the date of receipt/production of a copy of the present order and till then, no coercive steps shall be taken against the petitioner.

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

(Mohit Kumar Shah, J)

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