

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1115 of 2020

Dharmendra Singh S/o Sri Sudarshan Singh R/o Village-Rudalpur, PO and PS-Jalalpur, District-Saran at Chapra,

... .. Petitioner/s

Versus

1. The State of Bihar through Chief Secretary, Old Secretariat, Patna.
2. The District Certificate Officer, District-Saran at Chapra.
3. The Chairman Cum Chief Managing Director, The New India Assurance Company Ltd. its registered and Corporate Office. 87, M.G. Road, Fort, Mumbai-400001.
4. The Branch Manager, The New India Assurance Company Limited, Sudarshan Bhawan (First Floor), Nagar Palika Chowk, Chapra.
5. Amna Khatoon W/o of Late Jalil Ahmad Resident of Village-Dhangaha Tola, Dhanupur, P.O.-Dhangarha, P.S.-Barhiyapur, District-Saran at Chapra.
6. Ahmad Ali. Son of Late Jalil Ahmad Resident of Village-Dhangaha Tola, Dhanupur, P.O.-Dhangarha, P.S.-Braniyapur, District-Saran at Chapra.
7. Mohammad Ishmile Son of Late Jalil Ahmad. Resident of Village-Dhangaha Tola, Dhanupur, P.O.-Dhangarha, P.S.-Braniyapur, District-Saran at Chapra.
8. Tawassum Khatoon Daughter of Late Jalil Ahmad. Resident of Village-Dhangaha Tola, Dhanupur, P.O.-Dhangarha, P.S.-Braniyapur, District-Saran at Chapra.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Jeetendra Narayan
For the State : Mr. Prashant Pratap (GP-2)
Mr. Dev Kumar Pandey, AC to GP-2
For the Respondent Nos. 3 & 4: Mr. V.C. Srivastava

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 19-02-2020 Heard the learned counsel for the petitioner and the learned counsel for the respondents.

The present writ petition has been filed for quashing the proceedings of Certificate Case No. 1 of 2017-18 pending before the learned Certificate Officer, Saran at Chapra.

The learned counsel for the petitioner at the outset submits that the petitioner would be filing objection under Section 9 of the Bihar & Orissa Public Demand Recovery Act,



1914. Hence, he seeks a direction upon the learned Certificate Officer to consider the same and pass final orders.

Having regard to the facts and circumstances of the case, the present writ petition stands disposed off with liberty to the petitioner to file objection under Section 9 of the Bihar & Orissa Public Demand Recovery Act, 1914 within a period of four weeks from today, whereupon the Certificate Officer, Saran at Chapra shall pass final orders under Section 9 of the Bihar & Orissa Public Demand Recovery Act, 1914 within a period of eight weeks therefrom.

It is needless to state that in case no objection is filed within a period of four weeks from today by the petitioner, the Certificate Officer, Saran at Chapra would be at liberty to pass ex parte order. It is further submitted that till the passing of the final orders by the Certificate Officer, Saran at Chapra, as aforesaid, no coercive steps shall be taken against the petitioner.

The writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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