

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5877 of 2021

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Rajesh Kumar Son of Lalji Prasad Resident of Village-Titaiganj, P.S.-Tekari,
District-Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Arban Development and Housing Department, Government of Bihar, Patna.
2. The Divisional Commissioner, Magadh Division, Gaya.
3. The District Magistrate, Cum Second Appellate Public Grievance Cell, Gaya.
4. The Additional Collector Cum First Appellate Public Grievance Cell, Gaya.
5. The Sub-Divisional Officer-cum-Public Grievance Redressal Officer, Tekari, Gaya.
6. The Executive Officer, Tekari Nagar Panchayat, Gaya.
7. The Chairman, Nagar Panchayat, Tekari, Gaya.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Akhilesh Dutta Verma, Advocate
For the Respondent/s : Mr.Lalit Kishore (Ag)

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CORAM: HONOURABLE MR. JUSTICE RAJAN GUPTA
and
HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE RAJAN GUPTA)

2 21-12-2021 The petitioner has prayed for quashing of the order dated 12.10.2020 issued vide Memo no. 817, passed by the Executive Officer, Tekari Nagar Panchayat, Tekari, whereby and whereunder he was asked to deposit the difference amount for less collection of amount for Tekari Bus Stand under Tekari Nagar Panchayat and further for quashing the notice dated 19.12.2020 issued in Certificate case no. 01 of 2020, whereby and whereunder a sum of Rs. 73,462/- has been sought to be



recovered by way of public demand with regard to the due payment of less collection.

The learned counsel for the petitioner submits that he has already filed his objection under Section **9 of the Bihar & Orissa Public Demand Recovery Act, 1914** but no decision has been taken, thereof. It is evident that the concerned authority has to pass an order under **Section 10 of the said Act, 1914**.

Accordingly, the writ petition stands disposed off with a direction that in case, such objections are pending, the authority shall pass speaking order at the earliest and in any case, not later than four weeks.

In the meantime, *status quo* as on today, regarding recovery, shall be maintained.

(Rajan Gupta, J)

(Mohit Kumar Shah, J)

rinkee/s.sb.-

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