

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6779 of 2020

1. Shilpa Sinha Daughter of Arjun Kumar Sinha. Resident of Mohalla-Teachers Colony P.O.-Bhatha Bazar, P.S.-K. Hat, District-Purnia.
2. Arjun Kumar Sinha Son of Late Haldhar Prasad Sinha Resident of Mohalla-Teachers Colony P.O.-Bhatha Bazar, P.S.-K. Hat, District-Purnia.

... .. Petitioner/s

Versus

1. The State of Bihar through District Magistrate, Purnia.
2. The District Magistrate-Cum District Certificate Officer, Purnia.
3. The UCO Bank Through Chief Manager, Regional Office Sona Jageshwar Complex, Traffic Chowk Begusarai
4. The Branch Manager UCO Bank, Zila Parishad, Purnia Branch Purnia.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Abhishek, Advocate
For the Respondent/s : Mr. Anil Kumar Singh, G.P.-26

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE S. KUMAR

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 20-12-2021

Heard learned counsel for the parties.

Petitioners have prayed for the following relief(s):-

- I. For quashing the notice issued by the court of District Certificate officer Purnia having memo No-66 dated 22-01-2020 to the petitioners by which demand of Rs-4, 56, 920/- has been made as a loan amount.



- II. For Quashing the Certificate case No-1573/19-20 which is pending before the District Certificate officer Purnia with a demand of loan amount of Rs- 4,56,926/- which has not been received / Used by the petitioner in any manner.
- III. For ^{grant}~~grate~~ of any other relief or reliefs in view of the facts and circumstances of the present case.

It is not in dispute that petition under Section 9 of the Bihar & Orissa Public Demands Recovery Act, 1914 (hereinafter referred to as “the Act”) is pending consideration with the appropriate authority.

Learned counsel for the parties jointly pray that the instant petition be disposed of with direction to the appropriate authority to consider and decide the same expeditiously.

Learned counsel for the State states that the appropriate authority shall consider and decide the petition filed by the petitioner under Section 9 of the Act positively within a period of two months from the date of appearance of the petitioner before him along with a copy of this order.

Statement accepted and taken on record.

As such, petition stands disposed of in the following terms:-



(a) Petitioner shall appear in the office of the appropriate authority on 10th of January, 2022 along with a copy of this order;

(b) The appropriate authority shall consider and dispose of the petitioner's petition expeditiously, by a reasoned and speaking order, preferably within a period of two months from the date of appearance of the petitioner before him and till then no coercive steps be taken against the petitioner;

(c) Needless to add, while considering such petition, principles of natural justice shall be followed and due opportunity of hearing afforded to the parties;

(d) Equally, liberty is reserved to the petitioner to take recourse to such alternative remedies as are otherwise available in accordance with law;

(e) We are hopeful that as and when petitioner takes recourse to such remedies, as are otherwise available in law, before the appropriate forum, the same shall be dealt with, in accordance with law and with reasonable dispatch;

(f) Liberty reserved to the petitioner to challenge the order passed by the appropriate authority, before the appropriate forum, if so required and desired.

(g) We have not expressed any opinion on merits. All



issues are left open;

The petition stands disposed of in the aforesaid terms.

Interlocutory Application(s), if any, stands disposed of.

(Sanjay Karol, CJ)

(S. Kumar, J)

Amrendra/PKP

AFR/NAFR	
CAV DATE	
Uploading Date	21.12.2021
Transmission Date	

