

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18892 of 2021

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Ram Ekbal Mishra, Son of Late Rajendra Mishra, Resident of Village-
Chandauna, P.S.-Jale, District-Darbhanga, Presently residing At- G-8
Abiyanta Nagar, Ashiyana Nagar, P.S.- Rajeev Nagar, District Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Revenue and Land Reforms, Bihar, Patna.
2. The Principal Secretary, Department of Registration, Government of Bihar, Patna.
3. The District Magistrate cum Collector, Sitamarhi.
4. The Deputy Collector, Land and Revenue, Sitamarhi.
5. The District Certificate Officer, Sitamarhi.
6. The Assistant Inspector General of Registration, Tirhut Commissioner, Muzaffarpur.
7. The Sub- Registrar, Pupri, Sitamarhi.
8. The Circle Officer, Pupri, Sitamarhi.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Manoj Kumar Singh, Advocate
For the Respondent/s : Mr.Mritunjay Kumar, A.C. to AAG-6

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

and

HONOURABLE MR. JUSTICE MADHURESH PRASAD

ORAL ORDER

(Per: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH)

4 17-12-2021 The petitioner is seeking quashing of the entire proceeding arising out of Certificate Case No.12 of 2016-17, whereby certificate for recovery of a sum of Rs.1,62,000/- (One lakh sixtytwo thousand) has been issued.

Learned counsel appearing on behalf of the petitioner has submitted that without any service of notice upon the



petitioner, the Certificate Officer has issued bailable warrant of arrest. He has further submitted that the certificate has been issued on patently wrong calculation of demand and, therefore, interference by this Court in the present proceeding is required.

In our view, the petitioner could have availed remedy of raising objection before the authority against the said demand.

This application is thus disposed of with a liberty to the petitioner to raise objection, if permissible or take recourse to any other appropriate provision of law.

No interim order is needed at this stage as bailable warrant of arrest has been issued against the petitioner. The apprehension of the petitioner of being taken into custody and sent to jail is unfounded.

(Chakradhari Sharan Singh, J)

(Madhuresh Prasad, J)

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