

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8587 of 2021

1. Naseema Khatoon Wife of Avdul Qayum, resident of Village - Bhusanda, Police Station- Muffasil in the district of Gaya.
2. Rajdeo Paswan, Son of Late Baudh Paswan, resident of Village - Dongila, Police Station- Banke Bazar in the district of Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principle Secretary, Panchayati Raj Department, Government of Bihar, Patna.
2. The Principal Secretary, Panchayati Raj Department, Government of Bihar, Patna.
3. The Divisional Commissioner, Magadh Division, Gaya.
4. The District Magistrate-cum- Collector, Gaya.
5. The District Panchayat Raj Officer, Gaya.
6. The District Certificate Officer, Gaya.
7. The Block Development Officer, Manpur in the district of Gaya.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Sunil Kumar, Advocate
For the Respondent/s	:	Mr. Sarvesh Kumar, AAG-13
		Mr. S. Raza Ahmad, AAG-5

CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE SANJEEV PRAKASH
SHARMA
ORAL JUDGMENT
(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 03-01-2022

Heard learned counsel for the parties.

Petitioner has prayed for the following relief(s):-

- i. To quash the Notice issued under Section 7 of Bihar and Orissa Public Demand Recovery Act, 1914 (herein after referred in short as the Act) under the signature of District Certificate Officer, Gaya in Certificate Case No. 6 of 2020-21 by which the petitioners have been directed to file Show-



- cause/reply as to why not Certificate be issued for recovery of amount Rs. 11,17,968/-.
- ii. Also to quash Certificate Case No. 6 of 2020-21 initiated against the petitioners for recovery of Rs. 11,17,968/- sanctioned for installation commissioning of Solar Street Lighting System in Gram Panchayat, Nauranga under Manpur Block in the district of Gaya.
- iv. Also for any other relief/reliefs for which the petitioners are found to be entitled in the eye of law.

After the matter was heard for some time, learned counsel for the petitioner seeks permission to withdraw the present petition reserving liberty to pursue the certificate proceedings which are yet pending. Learned counsel for the petitioner states that the proceedings relate to the period 2020 and, as such, direction be issued to the authorities to consider and decide the same expeditiously.

Shri Sarvesh Kumar Singh, learned AAG 13, states that the parties shall make a request before the authorities for expeditious disposal of proceedings.

Statement accepted and taken on record.

Authorities are directed to positively conclude such proceedings, per law, within a period of six months from the date of production of a copy of this order.

Needless to add, while considering such request,



principles of natural justice shall be followed and due opportunity of hearing afforded to the parties.

If aggrieved by the said order, the petitioner shall have liberty to approach this Court by way of separate petition(s), if so required and desired.

The present petition is, accordingly, disposed of as withdrawn with the liberty/direction aforesaid.

Interlocutory application(s), if any, shall stand disposed of.

(Sanjay Karol, CJ)

(Sanjeev Prakash Sharma, J)

Amrendra/PKP

AFR/NAFR	
CAV DATE	
Uploading Date	05.01.2022
Transmission Date	

