

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9398 of 2021

Chandrabhusan Iswar S/o Chandrakant Iswar Resident of Village- Bharaul,
Ward No.-4, Rudauli, Block- Bachhwara, District- Begusarai.

... .. Petitioner

Versus

1. The State of Bihar Through the Principal Secretary, Food and Civil Supply Department, Govt. of Bihar, Patna.
2. The District Magistrate Begusarai.
3. The Deputy Development Commissioner-cum- Certificate Officer Begusarai.
4. The Block Development Officer Bachhwara, District- Begusarai.

... .. Respondents

Appearance :

For the Petitioner/s : Mr.Prem Prakash Poddar
For the Respondent/s : Mr.Lalit Kishore (Ag)

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

and

HONOURABLE MR. JUSTICE MADHURESH PRASAD

ORAL ORDER

(Per: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH)

2 11-02-2022 This matter has been taken up for hearing online because of COVID-19 pandemic restrictions.

The petitioner has put to challenge a notice dated 29.09.2020 issued by the Block Development Officer, Bachwara, asking him to pay a sum of Rs.1,31,385.00 against the alleged misappropriation of rice (95 quintals), which was under the custody of the petitioner as P.D.S. dealer required to be distributed amongst beneficiaries during the period 2002-06. It is the petitioner's case, that the said notice has been issued in the light of a letter dated 28.08.2020 issued by the Deputy



Development Commissioner, Begusarai-cum-Certificate Officer,
Begusarai.

It is not clear from the pleadings on record whether any certificate proceeding has been initiated against the petitioner for realization of the amount. In any view of the matter, in our opinion, if any certificate proceeding is initiated against the petitioner for recovery of the amount in question, the petitioner shall be at liberty to avail remedy under the provisions of the Bihar and Orissa Public Demand Recovery Act, 1914.

This application stands disposed of with the aforesaid observation and direction.

(Chakradhari Sharan Singh, J)

(Madhuresh Prasad, J)

Pawan/-

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