

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9388 of 2021

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Arjun Paswan S/o Gannu Paswan, Resident of Village - Bhikhamchak, Ward
No. -1, Block - Bachhwara, District - Begusarai.

... .. Petitioner

Versus

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

... .. Respondents

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Appearance :

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

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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)**

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.1,16,888.80 against
the alleged misappropriation of rice (98.835 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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