

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8040 of 2022

M/s Vishwa Infrastructures and Services Private Limited having its registered office at 1-11-256/C/24, Plot No. 24, Gagan Vihar Colony, Begumpet, Hyderabad- 500016 through its authorized representative namely R. Srikanth, (Male), aged about- 42 years, Son of R. Yadagiri, resident of House No.- 6-6-269/88, Arun Jyothi Colony, Gandhi Nagar, Police Station- Gandhi Nagar, Secunderabad, Hyderabad, Telangana.

... .. Petitioner/s

Versus

1. The State of Bihar through the District Magistrate, District- Madhubani.
2. The District Magistrate, Madhubani, District- Madhubani.
3. The Certificate Officer, Madhubani, District- Madhubani.
4. The Additional Collector, Madhubani.
5. The Principal Secretary, Public Health Engineering Department, Government of Bihar, Patna.
6. The Engineer-in- Chief, Public Health Engineering Department, Government of Bihar, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar, Advocate
For the Respondent/s : Mr. Upendra Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJAN GUPTA
and
HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE RAJAN GUPTA)

3 02-08-2022 Heard learned counsel for the parties.

Admittedly, the petitioner has filed objection under Section 9 of the Bihar and Orissa Public Demands Recovery Act, 1914 (hereinafter referred to as the 'Act') before the Certificate Officer, Madhubani on which decision has already been taken. However, in view of the question of maintainability raised by the petitioner, at this stage, we propose to set aside the



order passed under Section 10 of the Act and remit the case to the same authority for decision afresh. This proposal is acceptable to the parties.

The petitioner will thus be at liberty to file fresh objection under Section 9 of the Act within four weeks from today. The Certificate Officer, Madhubani shall also take into account the preliminary objection raised by the petitioner regarding maintainability of the certificate proceeding and try to decide the matter expeditiously.

Till then, no coercive action shall be taken against the petitioner.

The writ petition stands allowed.

(Rajan Gupta, J)

(Dr. Anshuman, J)

P. Kumar

U			
---	--	--	--

