

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.747 of 2021

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Yogendra Saday, Son of Sohabir Saday, Resident of Village-Hanuman Nagar,
Post Office-Dhabhi, Ward No. 08, House No.94, Police Station-Phulparas,
District-Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Food and Civil Supply Department, Government of Bihar, New Secretariat, Patna.
2. The Principal Secretary, Food and Civil Supply Department, Government of Bihar, New Secretariat, Patna.
3. The District Magistrate, Madhubani.
4. The District Certificate Officer, Madhubani.
5. The Sub-Divisional Officer, Phulparas.
6. The Block Supply Officer, Phulparas, Madhubani.

... .. Respondent/s

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Appearance :

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

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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)

3 17-01-2022 The matter has been taken up for online hearing through video conference because of COVID-19 pandemic restrictions.

The petitioner has put to challenge initiation of Certificate Case No.08 of 2019-20 by the Sub-divisional Officer, Phulparas under the provisions of the Bihar & Orissa Public Demands Recovery Act, 1914 (hereinafter referred to as “the Act”) for recovery of a sum of Rs.41,71,000/- (Rs. Forty



one lacs seventy one thousand).

Learned counsel for the petitioner has submitted that the demand in question cannot be said to be public demand within the meaning of the provisions of the Act.

It is an admitted fact that after issuance of notice, the petitioner had not filed his objection under Section 9 of the Act.

Considering the facts and circumstances, this application is disposed of with a liberty to the petitioner to file his objection under Section 9 of the Act. If the petitioner files an objection, the Court expects that the competent authority shall consider the same and dispose it of, in accordance with law.

(Chakradhari Sharan Singh, J)

(Madhuresh Prasad, J)

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