

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.2171 of 2021

In
Civil Writ Jurisdiction Case No.3209 of 2021

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Shivdhar Verma Son of Shivilakhan Verma, Resident of Village - Badipur,
Police Station- Naubatpur, District - Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Mines Department, Bihar, Patna.
2. The Assistant Director, District Mining Office, Virchand Patel Path, Patna - 800001.
3. The District Magistrate-cum-Collector, Patna.
4. The Certificate Officer (Mining), Collectorate, Hindi Bhawan, Near Radio Station, Patna.
5. The Mining Inspector, Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Gopal Govind Mishra, Adv.

For the Opposite Party/s : Mr.Sunil Kumar Mandal (Sc3)

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 02-03-2022 The present petition has been filed for modifying the order dated 08.09.2021 passed in CWJC No. 3209 of 2021 to the extent that Certificate Case No. 18/ 2018-19, referred to therein, be modified and read as Requisition Case No. 18/2018-19 (Certificate Case No. 18/2019-20), which is stated to be pending before the learned court of Certificate Officer (Mining), Collectorate, Patna.

The learned counsel for the Respondent State, Shri Bipin Kumar, AC to SC-3 has got no objection.

Accordingly, it is directed that the certificate case in question shall be read as Requisition Case No. 18/2018-19



(Certificate Case No. 18/2019-20), pending before the Certificate Officer (Mining), Collectorate, Patna.

At this juncture, the learned counsel for the petitioner seeks liberty to file a fresh objection under Section 9 of the Bihar & Orissa Public Demand Recovery Act, 1914 (hereinafter referred to as 'Act, 1914') to which also the learned counsel for the Respondent State has got no objection.

In such view of the matter, the petitioner is granted liberty to file objection u/s 9 of the Act, 1914 within a period of four weeks from today, whereupon the learned Certificate Officer (Mining) Collectorate, Patna shall pass the final order u/s 10 of the Act, 1914 within a period of six weeks thereafter.

It is made clear that in case no objection is filed by the petitioner within a period of four weeks from today, the learned Certificate Officer (Mining) Collectorate, Patna shall be at liberty to pass final order ex parte.

Accordingly, the present petition stands disposed of with the aforesaid modifications in the order dated 08.09.2021 passed in CWJC No. 3209 of 2021.

(Mohit Kumar Shah, J)

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