

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.2110 of 2024**

Radhe Shyam Singh, aged about 50 years, Gender-Male, S/o Sri Vijay Bahadur Singh, R/o Village-Mokram, P.O.-Jaitpurkala, P.S.-Bhagwanpur, Distt-Kaimur.

... .. Petitioner/s

Versus

1. The State of Bihar through the District Collector, Kaimur (Bhabhua), Bihar.
2. The Additional Collector cum Certificate Officer, Kaimur (Bhabhua), Bihar.
3. Dakshin Bihar Gramin Bank Branch-Jaitpur, P.O. and P.S.-Jaitpur, District-Kaimur (Bhabhua) through its Branch Manager.

... .. Respondent/s

**Appearance :**

For the Petitioner/s : Mr. Prashant Bhushan, Adv.  
Mr. Ravi Shankar Sahay, Adv.  
For the Respondent/s : Mr. R.K. Chandran, Adv.  
For the Respondent No 3: Mr. Praveen Prabhakar, Adv.

**CORAM: HONOURABLE MR. JUSTICE A. ABHISHEK REDDY**  
**ORAL ORDER**

5      23-07-2024      Heard learned counsel for the parties.

2. The present Writ Petition has been filed for the following reliefs:-

“(i) For issuance of appropriate writ of certiorari to quash the issuance of certificate dated 27.12.2022 (Annexure 2) and consequential proceeding in Certificate Case No. 62(B)/2022-23, pending before the Learned Additional Collector-cum-Certificate Officer, Kaimur (Bhabhua) (Respondent No. 3).

(ii) For issuance of appropriate writ of certiorari to quash the order dated 26.10.2023 (Annexure 7) passed by Learned Additional Collector-



*cum-Certificate Officer, Kaimur (Bhabhua) (Respondent No. 3), in Certificate Case No. 62/2022-23 wherein Respondent No. 3 has directed the present petitioner to deposit the certificate amount, without deciding the objection submitted under Section 9 of Bihar & Orrisa Public Demand Recovery Act, 1914, And/or*

*(iii) For issuance of appropriate writ of certiorari to quash the order dated 21.12.2023 (Annexure-8), passed by Learned Additional Collector-cum-Certificate Officer, Bhabhua (Respondent No. 3), Certificate Case No. 62/2022-23, wherein warrant for arrest has been issued against the petitioner for execution of certificate.*

*(iv) For a direction granting stay against the operation of order dated 21.12.2023 (Annexure 8) passed by the Learned Additional Collector-cum-Certificate Officer, Bhabhua (Respondent No. 3) Certificate Case No. 62/2022-23, during the pendency of the present writ petition”.*

3. Learned counsel appearing on behalf of the petitioner has stated that pursuant to the notice issued by the Certificate Officer, the petitioner has filed his objections to the proceedings initiated including the question of jurisdiction of the Certificate Officer to proceed with the matter.

4. It is stated by the learned counsel for the Respondent-Bank that they have filed rejoinder to the objections filed by the petitioner.



5. Having regard to the same, the Certificate Officer is directed to pass necessary orders duly taking into consideration the objections filed by the petitioner. The Certificate Officer shall deal with the question of jurisdiction first and then proceed with the merits of the case. The entire exercise shall be completed as expeditiously as possible preferably within a period of twelve weeks from the date of receipt of this order.

6. It is needless to mention that before passing any order the petitioner shall be put on notice and given an opportunity of hearing. Any order passed shall be communicated to the party.

7. After service of notice on the petitioner, he does not choose to appear, the authority shall pass orders on merits without further delay. Till such time the final orders are passed under Section 10, the authorities are directed not to take any coercive steps against the petitioner.

8. With the above direction, the present writ petition stands dispose of.

**(A. Abhishek Reddy, J)**

shakir/-

|   |  |  |  |
|---|--|--|--|
| U |  |  |  |
|---|--|--|--|

