

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19120 of 2018

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Mazid Ahmad son of Mohammad Shahzad, resident of Mohalla- Topkhana
Bazar, Police Station- Kotwali, District- Munger.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Principal Secretary, Excise Department,
Govt. of Bihar, Patna.
2. The Principal Secretary, Excise Department, Govt. of Bihar, Patna.
3. The Collector cum District Magistrate, Munger.
4. The Superintendent of Excise, Munger.
5. The Certificate Officer, Munger.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Md. Najmul Hodda, Advocate
For the Respondent/s : Mr.Lalit Kishore -Ag

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CORAM: HONOURABLE JUSTICE SMT. G. ANUPAMA CHAKRAVARTHY
ORAL JUDGMENT

Date : 30-07-2025

1. The petitioner has filed the Writ petition
for the following reliefs:

*“I. For quashing the entire
proceeding of Certificate Case No. 17 of
2016-17 pending before the learned
Certificate Officer, District Munger.*

*II. For holding that, there is
apparent non-compliance of mandatory
provisions of Bihar and Orissa, Public
Demand Recovery Act.*

*III. For commanding and directing
the respondents to stay certificate notice*



dated 23.11.2016 issued in Certificate Case No 17 of 2016-17.

IV. For commanding and directing the respondents to stay the further proceeding by the Certificate Officer, Munger, in Certificate Case No. 17 of 2016-17.

V. For any other relief(s) for which the petitioner is found entitled in the ye of law”

2. At the outset, the Learned counsel for the petitioner seeks indulgence of this Court to grant liberty to file fresh objections under Section 9 of the Bihar and Orissa Public Demands Recovery Act, 1914 and direct the authority to pass necessary orders duly taking into account the objections filed by the petitioner.

3. The Learned counsel for the respondents submitted that he has no objection, if a direction is given to the concerned authority to pass necessary



orders under Section 10 of the Act duly taking into account the objections filed by the petitioner.

4. Having regard to the above made submissions, without going into the merits or demerits of the case, the present writ petition is disposed of granting liberty to the petitioner to file objections under Section 9 before the concerned authority within a period of one month from today. On such objections being filed, the authority concerned shall pass necessary orders under Section 10 of the Act. The authority concerned shall liberally construed the limitation aspect as the Writ petition is itself filed in the year 2018.

5. It is needless to mention that before passing any order, the authority concerned shall give an opportunity of hearing to the petitioner. Any order passed shall be communicated to the petitioner. The entire exercise shall be completed as



expeditiously as possible preferably within a period of three months from the date of filing of the objections by the petitioner.

6. Till the passing of the final order by the Certificate Officer, it is directed that no coercive steps shall be taken against the petitioner herein.

7. Interlocutory Application(s), if any, shall stand disposed of.

(G. Anupama Chakravarthy, J)

amitkr/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	31.07.2025
Transmission Date	N/A

