

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11300 of 2017

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Tejbali Singh Son of late Ram Lakhan Singh Resident of Village- Salthua,
Police Station- Kudra, District- Kaimur, Proprietor of Hanuman Industry
Salthua, Kudra, Kaimur at Bhabua.

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors
2. The State of Bihar through the Principal Secretary of Bihar State Food and Civil Supply Department,
3. The District Magistrate, Kaimur.
4. The Director -Cum-Certificate Officer, Kaimur, Bhabua.
5. The District Manager, State Food Corporation, Kaimur.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Shyam Bihari Singh, Adv.
For the Respondent/s	:	Mr. Arvind Ujjwal-SC-4
		Mr. Shailendra Kr. Singh, Adv.
		Mr. Utkarsh Utpal, Adv.

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CORAM: HONOURABLE JUSTICE SMT. G. ANUPAMA CHAKRAVARTHY

ORAL JUDGMENT

Date : 22-07-2025

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

(a) For quashing the entire proceeding of Certificate Case No. 185 of 2014-2015 running in the Court of Certificate Officer, Kaimur against the petitioner for recovery of a sum of Rs. 10,20,021.40 (Ten Lakhs Twenty Thousand Twenty one rupees and paisa forty only) alleging therein that the petitioner has



taken 2000/-(two thousand) quintals of paddy from State Food Corporation, Kaimur for milling and he was to deposit 1340 quintals of rice whereas he has deposited only 810 quintals of rice and 530 quintals of rice was left with the petitioner costing to amount of Rs. 10,08,658.90 (Ten Lakhs eight Thousand Six Hundred fifty eight rupees and paisa ninety only) and also for quashing the notice cum letter no. 531 dated 18.03.2017 (contained in Annexure-3) issued by the Respondent no. 5 whereby the petitioner has been asked to deposit a bank guarantee equivalent to Rs. 10,08,658.90 (Ten Lakhs eight Thousand Six Hundred fifty eight rupees and paisa ninety only) by 28.03.2017 in the District office of State Food Corporation, Kaimur holding that Bank security has not been deposited by the petitioner whereas the security money as as already deposited per agreement.

(b) To pass any such other order or orders as the Hon'ble Court be deem just and proper in the facts and circumstances of the case.

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 the date of receipt of this order. On such objections being filed, the authority concerned shall pass necessary orders under Section 10 of the Act.

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)

Manish/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	24.07.2025
Transmission Date	

