

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11572 of 2017

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Ramakant Prasad Sah Son of Raghunath Sah, Resident of Village- Dihalahi,
District- Darbhanga.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Principal Secretary, Department of Food Supply and Consumer Protection, Govt. of Bihar, Patna
2. The Managing Director, Bihar State Food and Civil Supply Corporation, Patna.
3. The District Manager, State Food Corporation, Sitamarhi.
4. The District Magistrate, Sitamarhi.
5. The Certificate Officer-cum-Senior Deputy Collector, Sitamarhi.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	M/s Ajay Kumar Verma, Advocate Madhubala Verma, Advocates
For the Respondent/s	:	Mr. Manish Kumar, Advocate
For BSFC	:	M/s Shailendra Kumar Singh Utkarsh Utpal, Advocates

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CORAM: HONOURABLE JUSTICE SMT. G. ANUPAMA CHAKRAVARTHY
ORAL JUDGMENT
Date : 08-05-2025

1. The petitioner has filed the instant application for the following reliefs:

"I. For quashing the certificate proceeding of Certificate Case No. 9/15/16 with respect to the petitioner initiated against the petitioner and one other person by the Certificate Officer-cum-Senior Deputy Collector with regard to alleged Public Demand of Rs. 23993701.90.



II. For a direction to the Respondent Certificate Officer- cum- Senior Deputy Collector, Sitamarhi to not proceed with the Certificate Case No. 9/15/16 with respect to the petitioner.

III. For any other direction/orders under the facts and circumstances of the case."

2. Learned counsel for the petitioner contended that he has filed his objection under Section 9 of the Bihar and Orissa Public Demands Recovery Act, 1914 before the authority and the same is pending with the Certificate Officer. Further it is contended that without passing the final order under Section 10 of the Act the respondents proceeded with the case.

3. Learned counsel for the respondents reported that he has no objection, if a direction is issued to



Respondent No. 5 to pass necessary orders under Section 10 of the Act duly taking into account the objections filed by the petitioner.

3. Having regard to the above submissions and without going into the merits or demerits of the case, the present writ petition is disposed of directing Respondent No. 5 to pass appropriate orders under Section 10 of the Act within a period of two months from today.

4. It is needless to mention that before passing any order, the authority concerned shall give an opportunity of hearing to the petitioners. Any order passed shall be communicated to the petitioners. Further the petitioners are directed to appear before the Certificate Officer for proper adjudication of the case.



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

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

(G. Anupama Chakravarthy, J)

Spd/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	08.05.2025
Transmission Date	

