

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12159 of 2017

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Mahendra Prasad Son of Late Hira Lal Sah, Resident of Village P.S. Sanjhauli, District- Rohtas.

... .. Petitioner/s

Versus

1. The State Of Bihar through Secretary, Food & Civil Supply, Government of Bihar, Patna.
2. Collector, Rohtas.
3. District Certificate Officer, Rohtas at Sasaram.
4. Certificate Officer, Bikramganj, District Rohtas.
5. Bihar State Food and Civil Supply Corporation through its Managing Director, Bihar State Food and Civil Supply Corporation, Patna.
6. District Manager, Bihar State Food and Civil Supply Corporation, Sasaram, Rohtas.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Jitendra Prasad Singh, Advocate
For the Respondent/s	:	Mr.A. Ujjwal – Sc4
	:	Mr. Shailendra Kr. Singh, Advocate
	:	Mr. Utkarsha Utpal, Advocate

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

Date : 25-07-2025

1. The Writ petition is filed for the following relief:-

“For issuance of an appropriate writ or writs setting aside the entire certificate case bearing Certificate Case No. 09 of 2013-14 pending in the court of Certificate Officer, Bikramganj, Rohtas registered under the provisions of Bihar & Orissa Public Demand Recovery Act, 1914



(hereinafter referred to as the 'Certificate Act') which has been filed by the Bihar State Food and Civil Supply Corporation through District Manager, Sasaram (in short 'BSFC') against the petitioner which is not sustainable and maintainable in the eye of law and/or to grant any other relief/reliefs for which the petitioner is legally entitled in the facts and circumstances of the case."

2. During the course of arguments, it is contended by the Learned counsel for the petitioner that the Writ petition is filed challenging the notice of the Certificate Officer under Section 7 of the Act and inspite of filing the objections under Section 9 of the Act before the Certificate Officer on 12.08.2013, the Certificate Officer has not passed any order till today.

3. At this juncture, the Learned counsel for the respondents also contended that direction may be given to Certificate Officer to pass an appropriate order under Section 10 of the Act.

4. Having regard to the above made submissions, without going into the merits or demerits of the case, as objection were filed under



Section 9 on 12.08.2013 and on the other dates, the present writ petition is disposed of granting liberty to the petitioner, to file fresh objections under Section 9 before the concerned authority within a period of one month from the date of receipt of this order. On such fresh 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 2017.

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 fresh 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. With the aforesaid observations, the Writ petition stands disposed off.

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

(G. Anupama Chakravarthy, J)

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AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	28.07.2025
Transmission Date	N/A

