

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17032 of 2017

=====

Md. Nuruzzaman S/o Late Sadruzzaman, R/o Muhalla- Harun Colony, Sector-
2 Phulwarisharif, P.S. Phulwarisharif in the district of Patna.

... .. Petitioner/s

Versus

1. The State Of Bihar through its Principal Secretary, Food and Civil Supply Department, Government of Bihar
2. The District Magistrate, Patna.
3. The Managing Director, the Bihar State Food Corporation, Govt. of Bihar, Patna.
4. The Sub Division Magistrate, Patna City.
5. The District Manager Bihar State Food Corporation and Civil Supplies Corporation, Patna.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s	:	Mr. Sanjeev Kumar, Advocate
For the State	:	Mr. S.Raza Ahmad -AAG 5
For the BSFC	:	M/s Shailendra Kumar Singh, Utkarsha Utpal, Advocate

=====

CORAM: HONOURABLE JUSTICE SMT. G. ANUPAMA CHAKRAVARTHY

ORAL JUDGMENT

Date : 27-06-2025

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

"I). To issue a writ in the nature of certiorari to quashed the order dated 12/04/16 passed by certificate officer Patna City, whereby and where under a certificate proceeding bearing certificate case No. 31/15-16 was instituted and notice under section 7 of Bihar and Orissa public demand recovery Act (herein after referred as the Act) against the



petitioner without any substantive evidence.

(II) Also to quashed of the order dated 15/11/16 passed by certificate officer Patna City in certificate case No. 31/15-16 whereby and where under order was passed about recovery from salary of petitioner without considering the objection under section 9 of the act.

(III) also for quash the order dated 20/04/17 issued under signature of Sub Division officer cum certificate officer, Patna City whereby District statistical officer where directed to recover the amount from the salary of the petitioner with respect to damaged paddy Rs. 190751.52/- and deposit the same account of Bihar state food civil supply corporation limited Patna.

(IV) Also for any other relief/reliefs for which petitioner is found entitle in the eye 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 four weeks from today. 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)

Spd/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	27.06.2025
Transmission Date	

