

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10025 of 2018

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Lakhindra Kumar S/o Jang Bahadur Sah, Resident of Village- Kushahar, P.O.- Sherput Chhatwara, P.S.- Mahua, District- Vaishali, Bihar.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The District Certificate Officer, Vaishali.
3. The Branch Manager, Central Bank of India, Harpur Belwa Branch, P.O. Harpur Belwa, P.S.- Tisiauta,

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Satya Prakash Sinha, Adv.
For the Respondent/s	:	Mr. Ajay Kumar Rastogi- AAG-10
		Mr. AC to AAG-13

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CORAM: HONOURABLE JUSTICE SMT. G. ANUPAMA CHAKRAVARTHY

ORAL ORDER

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| 2 | 30-06-2025 | 1. The petitioner has challenged Section 7 notice before the Court. The brief facts culled out from the Writ petition is that the petitioner is a borrower of the defendant bank and he borrowed an amount of Rs. 5,00,000/- which was sanctioned on 08.06.2013. The petitioner was regularly repaying the loan amount started from 12.09.2013 with an EMI/installment of Rs. 5,000/- and he had paid the amount 2 lakhs uptill 31.07.2015, but due to financial instabilities and some unavoidable |
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circumstances he could not pay the balance amount. Therefore, the bank has referred the matter to the Certificate Officer, Vaishali for recovery of balance amount and a certificate case No. 01/2017-18 was initiated and a notice dated 09.05.2017 under Section 7 of the PDR Act was served to the petitioner.

2. The petitioner challenged the notice before the Court. It is further specific contention of the Learned counsel for the petitioner that he made an objection on 18.12.2017 under Section 9 of the PDR Act which was refused by the authority. However, till date no order has been passed by the respondent authorities. The Act provides that an order has to be passed by the appropriate authority under Section 10 of PDR Act. Therefore, the respondent authorities are directed to pass an appropriate order under Section 10 of the Act after hearing the petitioner.

3. The petitioner shall file an application before the appropriate authority within 15 days. In turn, the appropriate authority shall pass an order



under Section 10 of the Act within three months.

4. With the aforesaid observations, the Writ petitions stands disposed of.

(G. Anupama Chakravarthy, J)

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