

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3555 of 2024

Proprietor S. S. and Comp. Bricks through Shambhu Singh aged about 68 Years (Male), S/o Late Manu Singh, R/o village Chailaha P.S. Banjariya Dist.- East Champaran.

... .. Petitioner/s

Versus

1. The District Certificate Officer Motihari Dist.- East Champaran at Motihari.
2. The District Mines Officer, East Champaran at Motihari.
3. The State of Bihar, through D.M. Motihari, E. Champaran.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Dhannjay Kumar, Adv.
For the Respondent/s	:	Mr.Standing Counsel (20)
		Ms. Puspanjali Sharma, AC to SC 20
For the Mines		Mr. Brij Bihari Tiwary, Adv.

CORAM: HONOURABLE MR. JUSTICE A. ABHISHEK REDDY
ORAL ORDER

8 07-02-2025 Heard the parties.

2. The present writ petition is filed for the following

relief(s):-

“[A] For issuance of writ in nature of Mandamus or any other appropriate writ/writs, order/orders or direction/directions to respondents 2 for proper verification the matter and filed proper certificate case if any amount pending made against the petitioner.

[B] For issuance of writ/writs, order/orders or direction/directions to quash the Certificate Case No. 98/M/2023-24 which pending before the respondent no 1 for execution which is instated without proper legal procedure which is filed without proper verification of the facts and filed on the basis of presumption.

[C] An appropriate writ or order be issued for which petitioner found to be entitled.”



3. Without going into the merits or demerits of the case having regard to the facts that the petitioner has challenged the notice issued under Section 7 of the Bihar and Orissa Public Demands Recovery Act, 1914, the present CWJC is disposed of at the stage of admission with the consent of both the parties. The petitioner is directed to file his objections under Section 9 of the Act before the District Certificate Officer (Respondent No. 1) within a period of four weeks from today. On such objections being filed, the District Certificate Officer (Respondent No. 1) shall pass a reasoned orders under Section 10 of the Act duly taking into consideration the objections filed by the petitioner.

4. It is needless to mention that before passing any orders, the petitioner shall be given an opportunity of hearing. Any order passed shall be communicated to the petitioner. The entire exercise shall be completed as expeditiously as possible preferably within a period of twelve weeks from the date of filing of the objections by the petitioner under Section 9 of the Act.

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



6. It is also made clear that in case the petitioner does not file his objections within a period of four weeks granted by this court, the authorities are free to take necessary steps in accordance with law.

7. With the above directions, the present writ petition stands disposed of.

(A. Abhishek Reddy , J)

Bhardwaj/-

U			
---	--	--	--

