

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19103 of 2018

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Srimati Devi Wife of Khublal Sah resident of Khaira Aazam, P.S. -
Baikunthpur, District - Gopalganj, Bihar.

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors
2. The Collector, Gopalganj.
3. The District Certificate Officer, Gopalganj.
4. The District Land Acquisition Officer, Gopalganj.
5. The Anchal Adhikari, Baikunthpur, Gopalganj.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Indrajeet Bhushan, Advocate
	:	Mr.Alok Kumar, Advocate
	:	Mr.Manish Kumar, Advocate
For the Respondent/s	:	Mr.Raj Kishore Roy -GP-18

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CORAM: HONOURABLE JUSTICE SMT. G. ANUPAMA CHAKRAVARTHY

ORAL JUDGMENT

Date : 30-07-2025

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

“(i) For issuance of a writ of certiorari for quashing of the proceeding initiated against the petitioner under the provision of Bihar & Orissa Public Demand Recovery Act, 1914 (PDR Act) vide Certificate Case No. 4/18-19, in which a notice under Section 7 of the aforesaid Act has been issued against the petitioner for recovery of the amount



of Rs. 2,02,496.00 which was paid to the petitioner against the compensation for the acquisition of the land bearing Khata No. 421 Survey No. 2322 area-0.04 Acre under the Mauza-Khira Aajam in the Gopalganj District for construction of the road of the State Highway No. 90 vide Award No. 71 and against the aforesaid notice petitioner has already filed objection under Section 9 of the PDR Act, 1914 but the said objection has not yet been disposed of and without disposing of the same the respondents are going to take coercive action against the petitioner and the petitioner further prays for issuance of any other writ/writs, order/orders, direction/directions which the Hon'ble Court may deem fit and proper."

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)

vinita/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	30.07.2025
Transmission Date	

