

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3411 of 2025

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Banshidhar Construction Pvt. Ltd, a Company incorporated under the provisions of the Companies Act, 1956 having its office at 2nd Floor, Plot No. 388/389, Near Biscuit Factory More, Nasriganj, Digha, Danapur, Patna through its Authorised Signatory, Ganga Prasad, aged about 41 years, (male), son of Suhawan Rai, resident of Village Hetanpur, PO Madhopur, P.S. Shahpur, District Patna

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Revenue and Land Reforms, Government of Bihar, Patna
2. The District Magistrate-cum-Collector, Patna.
3. The Additional Collector cum Certificate Officer, Special Program, Patna.
4. Bihar State Pollution Control Board, Through Its Chairman, Parivesh Bhawan, Plot No. NS- B/2, Patliputra Industrial Area, Patliputra, Patna, Bihar 800010.
5. The Member Secretary, Bihar State Pollution Control Board, Parivesh Bhawan, Plot No. NS - B/2, Patliputra Industrial Area, Patliputra, Patna, Bihar 800010.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Suraj Samdarshi, Adv.
For the Respondent/s	:	Mr. Government Advocate(5)
For the BSPCB		Mr. Kumar Ravish, Adv.
		Mr. Abhimanyu Singh, Adv.

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

2 25-02-2025 Heard the parties.

2. The present writ petition is filed for the following

relief(s):-

“(i) For a declaration that the notice contained in letter no. 84 dated 07.02.2025 issued by the Respondent Additional Collector cum Certificate Officer, Special Program, Patna with respect to Certificate Case No. 12/22-23 is bad in the eyes of law as the amount sought to be recovered is not



a public demand as per Section 2 (6) of the Bihar and Orissa Public Demand Recovery Act, 1914 and is not covered by any if the entries of Schedule I thereof.

(ii) During pendency of this case direct the Respondents not to take any coercive steps, inducing issuance of warrants etc. against the petitioner company or any of its managerial personnel.

(iii) To award any other relief or reliefs for which the petitioner is found entitled in the facts and the circumstances of the case.”

3. Without going into the merits or demerits of the case having regard to the fact that the petitioner is only challenging the notice issued under Section 7 of the Bihar and Orissa Public Demands Recovery Act, 1914. The petitioner is directed to file his preliminary objections under Section 9 of the Bihar and Orissa Public Demands Recovery Act, 1914 within a period of four weeks from today and the authority shall consider the same and pass a reasoned order. The Authority shall deal with the preliminary objections taken by the petitioner with regard to the maintainability of the initiation of the Certificate Proceeding and pass a reasoned order.

4. 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.

5. In case the petitioner does not file his objections



within the stipulated time, the authorities are free to take necessary action.

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

(A. Abhishek Reddy , J)

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