

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6419 of 2025

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M/s Om Ganpati Industries through its Proprietor, Himachal Kumar @ Himanchal Kumar (Male), aged about 48 years, son of Late Tulsi Prasad @Tulasi Patel, resident of village - Ramgarhwa, P.S. Ramgarhwa, District-East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through District Magistrate, District East Champaran (Motihari)
2. The Bihar State Food and Civil Supplies Corporation Limited through its Managing Director, Bihar, at Patna.
3. The District Manager, Bihar State Food and Civil Supplies Corporation Limited, Motihari, District - East Champaran.
4. Additional Collector-cum-Certificate Officer, Motihari, District - East Champaran.
5. The Food Corporation of India, through the Divisional Manager, Motihari Division, District - East Champaran, Motihari.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Rashmi Jha, Adv.
For the Respondent/s	:	Mr.Government Pleader (23)
		Mr. Sanjay Kumar, AC to GP 23
For the BSFC		Mr. Shailendra Kr. Singh, Adv.
		Ms. Shalini Singh, Adv.

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

3 15-07-2025 Without going into the merits or demerits of the case, the present writ petition is disposed of at the stage of admission with the consent of both the counsels.

2. Learned counsel appearing on behalf of the petitioner has stated that pursuant to the order dated 06.08.2015 passed in CWJC No. 10073 of 2015, the petitioner has filed his objections under Section 9 of the Public Demand Recovery Act before the Certificate Officer in Certificate Case No.



05/Food/2014-15. Learned counsel has stated that without passing any final orders, the authorities have issued a distress warrant against the petitioner.

3. Having regard to the same, the present writ petition is disposed of directing the Certificate Officer to pass final orders under Section 10 of the Public Demand Recovery Act as expeditiously as possible preferably within a period of 12 weeks from the date of receipt of the copy of this order.

4. It is needless to mention that before passing any order the petitioner shall be given an opportunity of hearing. Any order passed shall be communicated to the parties.

5. Till such time the final orders are passed, the authority is directed not to take any coercive steps against the petitioner.

6. It is made clear that in case the petitioner does not cooperate for final disposal of the case, the authority is free to pass necessary orders strictly in accordance with law.

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

(A. Abhishek Reddy , J)

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