

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6567 of 2017

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Kamlesh Kumar Son of Sri Lal Bihari Singh, resident of Village- Shivgarh,
Police Station Bikram District Patna at present Proprietor, M/s Ganapati
Modern Rice Mill, Moriama, Police Station Bikram, Patna.

... .. Petitioner/s

Versus

1. The Bihar State Food and Civil Supplies Corporation Through Its Managing Director Sone Bhawan, Patna
2. The Managing Director, Bihar State Food and Civil Supplies Corporation, Sone Bhawan, Patna, Bihar.
3. The District Manager, State Food Corporation, Patna.
4. The State of Bihar through the District Magistrate, Patna.
5. The Certificate Officer-cum-Sub Divisional Officer, Paliganj, Patna.
6. The Officer-in-charge, Bikram Police Station, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Bipin Kumar, Advocate
For the State	:	Mr. Manish Kumar GP 4
For the BSFC	:	M/s Shailendra Kumar Singh, Utkarsh Utpal, Advocates

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CORAM: HONOURABLE JUSTICE SMT. G. ANUPAMA CHAKRAVARTHY

ORAL JUDGMENT

Date : 18-03-2025

1. The petitioner has filed the Writ
petition for the following reliefs:

*“i. For quashing the order
dated 20.03.2017 issued by District
Certificate Officer-cum-Sub Divisional
Officer. Paliganj. Patna in certificate
case no. 218/2014, whereby bailable
warrant of arrest has been issued*



against the petitioner without giving due consideration to the facts and circumstances of the case,

(ii) For further direction to the respondents Corporation to amicably settle the claims of petitioner with respect to dues of transportation charges, handling charge & milling charge and also the deposits made by M/s. Babita Automatic rice mill under the proprietorship of his wife and adjust them against the dues payable by the petitioner.

(iii) For any other order/orders or relief/reliefs which the petitioner may found to be entitled in the facts and circumstances of the case.

2. At the outset, the Learned counsel for the petitioner seeks indulgence of this Court to grant liberty to file the 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.

2. The Learned counsel for the respondents



reported that he has no objection, if a direction is given to the respondent No. 5 to pass necessary orders under Section 10 of the Act duly taking into account the objections filed by the petitioner.

3. 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 his objections under Section 9 before the Respondent No. 5 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.

4. 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 eight weeks from the date of filing of the objections by the petitioner.

5. 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.

(G. Anupama Chakravarthy, J)

Spd/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	18.03.2025
Transmission Date	

