

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7318 of 2017

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Kartik Sah Son of Late Ramsewak Sah Resident of Village - Bakarpur
Panchayat - Bakarpur, P.S. - Rajapakar, District - Vaishali.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Principal Secretary Panchayati Raj
Departments, Bihar, Patna
2. The Director of Panchayati Raj Department, Bihar.
3. The District Panchayati Raj Officer, Vaishali at Hajipur
4. The District Magistrate, Vaishali at Hajipur.
5. The Certificate Officer-cum-Additional Collector, District - Vaishali.
6. The Deputy Development Commission-cum-Chief Executive Officer,
District - Vaishali.
7. The Sub-Divisional Officer, Mahua, Vaishali.
8. The Deputy Collector, Land Reforms, Mahua, Vaishali.
9. The Block Development Officer-cum-Executive Officer Panchayati Samiti
Prakhand, Rajapakar, Vaishali

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Kunwar Ajit Singh, Advocate
For the Respondent/s	:	M/s Ajay-GA 5
		Rakesh Kumar Ranjan, AC to GA 5

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CORAM: HONOURABLE JUSTICE SMT. G. ANUPAMA CHAKRAVARTHY
ORAL JUDGMENT
Date : 19-04-2025

1. The petitioner has filed the instant
application for the following reliefs:

*“(i) For directing and
commanding the respondents to
quash the Certificate Case No.
186/2014-15 instituted against
petitioner as well as the notice
(Annexure -4) issued against her U/S*



7 of the Public Demand and Recovery Act by respondent No. 5 The Certificate Officer.

(ii) Pass such other or further order(s) direction(s) as the Hon'ble Court may deem fit and proper in facts and circumstances of the case and to meet the ends of justice.

2. Learned counsel for the petitioner contended that he has filed his objections under Section 9 of the Bihar and Orissa Public Demands Recovery Act, 1914 before the authority and the same is pending with the Certificate Officer. Further it is contended that without passing the final order under Section 10 of the Act the respondents proceeded with the case.

3. Learned counsel for the respondents reported that he has no objection, if a direction is issued to



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 submissions and without going into the merits or demerits of the case, the present writ petition is disposed of directing Respondent No. 5 to pass appropriate orders under Section 10 of the Act within a period of two months from today.

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. Further the petitioner is directed to appear before the Certificate Officer for proper adjudication of the case.



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

6. Interlocutory Application(s), if any, shall stand disposed of.

(G. Anupama Chakravarthy, J)

Spd/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	19.04.2025
Transmission Date	

