

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6140 of 2017

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Ramakant Prasad Sah Son of Raghunath Sah, Resident of Village- Dihlahi,
Dihlahi, P.S. _____ District- Darbhanga.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Principal Secretary, Department of Food Supply and Consumer Protection, Government of Bihar, Patna
2. The Managing Director, Bihar State Food and Civil Supply Corporation, Patna.
3. The District Manager, State Food Corporation, Sitamarhi.
4. The District Magistrate, Sitamarhi.
5. The Certificate Officer-cum- Senior Deputy Collector, Sitamarhi.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Verma, Advocate
For the State	:	Mr.Arvind Ujjwal, SC 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 : 28-03-2025

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

*“1. For quashing the
proceeding of Certificate Case no.
14/15/16 with respect to the petitioner
initiated against the petitioner and one
other person by the Certificate Officer-
cum-Senior Deputy Collector, Sitamarhi,
under the Bihar & Orissa Public
Demand Recovery Act, 1914 with
regard to alleged Public Demand of Rs.
2,54,91,004.70/-*



II. For a direction to Respondent Certificate Officer - cum - Senior Deputy Collector, Sitamarhi to not proceeded with the Certificate Case No. 14/15/2016 with respect to the petitioner.

III. For any other direction/orders under the facts and circumstances of the case.

2. Learned counsel for the petitioner contended that the petitioner has filed his objections under Section 9 of the Bihar and Orissa Public Demands Recovery Act, 1914 (Anneuxre-1) before the authority and the same was pending with the Certificate Officer.

3. Learned counsel for the respondents submitted 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



directing the Respondent No. 5 to pass appropriate orders under Section 10 of the Act within a period of three 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 petitioner herein.

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

(G. Anupama Chakravarthy, J)

Spd/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	28.03.2025
Transmission Date	

