

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20048 of 2018

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Rajesh Singh Son of Dadan Singh, resident of Village- Dharhara, P.S.-
Kargahar, District- Rohtas

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors
2. The Joint Commissioner, Excise, Bihar, Patna
3. The Assistant Commissioner, Excise, Rohtas
4. The Collector-Cum-District Certificate Officer, Rohtas at Sasaram

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Kamlesh Kumar Pathak
For the Respondent/s	:	Mr.Anil Kr.Sinha -Gal

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CORAM: HONOURABLE JUSTICE SMT. G. ANUPAMA CHAKRAVARTHY

ORAL JUDGMENT

Date : 31-07-2025

1. The Writ petition is filed for the following
reliefs:-

“(i) For quashing the service of notice along with copy of certificate issued u/s 7 of the PDR Act by the respondent no. 4 on 27.07.2017 upon the petitioner/certificate debtor for recovery of outstanding dues of Rs. 17,73,920/- accrued in terms of settlement of wine shop made in favour of the petitioner for Kochas No. 1 country liquor shop, composite Belthori



and composite Ghasa on 15.02.2014 of the financial year 2014-15.

(ii) For quashing the whole proceedings of certificate case no. 02/14-15 (Assistant Commissioner, Rohtas Vs. Rajesh Singh) initiated by the District Certificate Officer, Rohtas at Sasaram without having jurisdiction under PDR Act to launch against the petitioner for recovery of outstanding dues of Rs.17,73,920/-(as security amount of Rs. 8,86,960/- + 8,86,960/-) as a license fee for the month of April 2014 for settlement of wine shop by the respondent no. 3 for Kochas No. 1 (country liquor shop) composite Belthari and composite Ghasa on 15.02.2014 of the financial year 2014-15.

(iii) For suitable award of compensation to the petitioner who being suffered and harassed by the respondent authorities by initiating certificate case vide Case No. 02/14-15 for vexatious and frivolous claim.

(iv) For any other relief/reliefs as your Lordship may deem fit and proper under the existing facts and circumstances of the case.”



2. During course of argument, the Learned counsel for the petitioner reported to the Court that in spite of filing objection under Section 9 of Bihar and Orissa Public Demands Recovery Act, 1914 the Certificate Officer has not passed any orders.

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

4. The Learned counsel for the respondents submitted that he has no objection, if a direction is given to the concerned authority to pass necessary orders under Section 10 of the Act duly taking into account the objections filed by the petitioner.

5. 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 fresh objections under Section 9 of the Act before the



concerned authority within a period of four weeks from the date of receipt of copy of this order. On such objections being filed, the authority concerned shall pass necessary orders under Section 10 of the Act.

6. 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 three months from the date of filing of the objections by the petitioner.

7. 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.

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

(G. Anupama Chakravarthy, J)

vinita/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	13.08.2025
Transmission Date	

