

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13648 of 2018

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Yogendra Prasad @ Yogendra Prasad Sinh S/o Shivrath Prasad Sinh, Resident
of Village- Amawa Majhar, P.S.- Majhauria, District- West Champaran.

... .. Petitioner/s

Versus

1. The Bihar State Food and Civil Supplies Corporation Limited
2. The Managing Director, The Bihar State Food and Civil Supplies Corporation Limited, Khadya Bhawan,
3. The District Manager, Bihar State Food and Civil Supplies Corporation Limited, Bettiah, West Champara
4. The Collector-cum-District Magistrate, West Champaran at Bettiah.
5. The District Certificate Officer, West Champaran at Bettiah.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar
For the Respondent/s : Mr.S.Raza Ahmed -Aag5

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CORAM: HONOURABLE JUSTICE SMT. G. ANUPAMA CHAKRAVARTHY

ORAL JUDGMENT

Date : 10-07-2025

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

A. *For issuance of an
appropriate writ/s, order/s, direction for
the followings:-*

*i. To quash the entire case
no. 05/2015-16 including the order
dated 22.05.2017 passed by the
respondent no. 5 directing for issuance
of notice upon the petitioner to deposit
the certificate amount without service
of notice issued u/s 7, Bihar & Orissa*



Public Demands Recovery Act to the petitioner and without providing any opportunity of hearing to him (Annexure- Annexure- 4 series).

II. To quash the notice dated 22.05.2017 issued by the respondent no. 5 directing the petitioner to deposit the certificate amount with interest (Annexure-5).

III. To hold that without service of notice u/s 7 of the Bihar & Orissa Public Demands Recovery Act and without providing any opportunity to the petitioner, he can't be compelled to deposit the amount in question.

B. *For any other relief/s to which the petitioner is found entitled to.*

2. It is the specific contention of the Learned counsel for the petitioner that no notice was served upon him under Section 7 of the Public Demands Recovery Act, and he was not given an opportunity to file an objection under Section 9 of the said Act.

3. The Learned counsel for the petitioner seeks indulgence of this Court to grant liberty to file 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 objections under Section 9 before the concerned authority 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.

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)

AMANDEEP/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	10.07.2025.
Transmission Date	10.07.2025.

