

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1663 of 2017

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Md. Mojamil Hussain Khan @ Mojamil Hussain Khan Son of Sheikh
Abdullah Khan, Resident of Village- Lahwar, P.S. Keoti, District- Darbhanga.

... .. Petitioner/s

Versus

1. The State Of Bihar through its Managing Director, The Bihar State Food & Civil Supplies Corporation Ltd. Patna
2. The Bihar State Food and Civil Supplies Corporation Ltd. through the District Manager, State Food Corporation, Sitamarhi
3. The Collector Sitamarhi.
4. The District Manager, Bihar State Food Corporation Sitamarhi.
5. The Certificate Officer, Sitamarhi.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Md. Ataul Haque
For the BSFC	:	M/s Shailendra Kumar Singh Utkarsha Utpal, Advocates
For the State	:	Mr. U.P.Singh, AC to SC 4

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CORAM: HONOURABLE JUSTICE SMT. G. ANUPAMA CHAKRAVARTHY

ORAL JUDGMENT

Date : 24-03-2025

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

*“i. A writ in the nature of
certiorari or any other appropriate writ
order or direction to quash the order
dated 22.2.2016 issued by the
Certificate Officer, Sitamarhi and notice
issued in Certificate case No. 24/15-16
under the signature of certificate
Officer, Sitamarhi.*



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.

3. 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.

4. 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.

5. 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.

6. 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.

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

(G. Anupama Chakravarthy, J)

Spd/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	24.03.2025
Transmission Date	

