

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8066 of 2017

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1. Kartik Sah Son of Late Ramsewak Sah, Resident of Village- Bakarpur, Panchayat Bakarpur, P.S. Rajapakar, District- Vaishali.
 2. Birendra Rai @ Birendra Prasad Rai. S/o Sitaram Rai, (Panchayat Jansewak), Resident of Village- Dhabauli, P.S. Bidhupur, 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 Commissioner-cum-Chief Executive Officer, District- Vaishali.
7. The Sub-Divisional Officer, Mahuha, Vaishali.
8. The Deputy Collector, Land Reforms Mahuha, Vaishali.
9. The Block Development Officer-cum-Executive Officer Panchayati Samiti Prakhand, Rajapakar, Vaishali

... .. Respondent/s

Appearance :

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

CORAM: HONOURABLE JUSTICE SMT. G. ANUPAMA CHAKRAVARTHY

ORAL JUDGMENT

Date : 24-03-2025

1. The petitioners have filed the instant application for the following reliefs:

“(i) For directing and commanding the respondents to quash the Certificate Case No.



187/2014-15 instituted against her 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. At the outset, the Learned counsel for the petitioners seek 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 petitioners.

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 petitioners.

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 petitioners to file their 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 petitioners. Any order passed shall be communicated to the petitioners. 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 petitioners.

6. 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.



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	

