

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10296 of 2017

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Ram Kumar Mishra Son of late Kaushal Kishore Mishra Resident of Village
Bajitpur Majhauri, P.S. Bochaha, District- Muzaffarpur.

... .. Petitioner/s

Versus

1. Bihar State Food And Civil Supplies Corporation Ltd., Sone Bhavan, Patna
through its Managing Director.
2. The Managing Director, Bihar State Food and Civil Supplies Corporation
Ltd., Sone, Bhavan, Patna.
3. The District Manager, Bihar State Food and Civil Supplies Corporation Ltd.
Sitamarhi.
4. The District Certificate Officer, Sitamarhi.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Vaidehi Raman Prasad Singh
For the Respondent/s	:	Mr.Arvind Ujjwal-Sc4
	:	Mr. Shailendra Kr. Singh, Advocate
	:	Mr. Utkarsha Utpal, Advocate

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CORAM: HONOURABLE JUSTICE SMT. G. ANUPAMA CHAKRAVARTHY
ORAL JUDGMENT

Date : 20-08-2025

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

*“.....for quashing the order
dated 03.03.2017/17.05.2017 passed
by the District Certificate Officer,
Sitamarhi in Certificate Case No.
19/2015-16 (Annexure-8) holding the
petitioner liable to pay a sum of Rs.
7,63,878.56/- and directing him to
deposit the said amount within a
period of one week.”*



2. Without going into the merits of this case, it can be construed that the petitioner has not preferred any appeal provided under the Bihar & Orissa Public Demand Recovery Act. Without availing the remedy of appeal the present Writ petition is filed to quash the certificate proceeding bearing Certificate Case No. 19/2015-16 issued by the 4th respondent.

3. On perusal of the record, it is evident that Section 60 of the Bihar & Orissa Public Demand Recovery Act provides for provision of appeal for orders passed under Section 10 of the PDR Act.

4. The Learned counsel for the petitioner contended that he intends to file an appeal before the competent authority, but the limitation period for filing the appeal has lapsed. He prayed for a direction to the authority concerned to entertain the appeal in accordance with Section 5 of the Limitation Act.

5. Taking into consideration that the petitioner has an alternative remedy of filing an appeal, the Writ petition is disposed of with a



direction to prefer an appeal as provided under Section 60 of the Bihar & Orissa Public Demand Recovery Act.

6. With the aforesaid observation, the Writ petition shall stand disposed of.

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

(G. Anupama Chakravarthy, J)

amitkr/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	30.08.2025
Transmission Date	N/A

