

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15346 of 2017

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Munna Prasad @ Vijay Kumar S/o Sri Harihar Prasad, Resident of Village-
Jirwakhand, P.S.- Hilsa, District- Nalanda.

... .. Petitioner/s

Versus

1. The State Of Bihar through Principal Secretary, Department of Mines and Geology, Bihar, Patna
2. The District Certificate Officer, Mining, Patna Division, Patna.
3. The District Magistrate, Nalanda, Biharsharif.
4. The Assistant Mining Officer, Nalanda at Biharsharif.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Rajeev Kumar
For the Respondent/s : Mr. S.K.Mandal – SC 3

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CORAM: HONOURABLE JUSTICE SMT. G. ANUPAMA CHAKRAVARTHY

ORAL JUDGMENT

Date : 23-06-2025

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

“That this writ petition is being filed for issuance of an appropriate order/s, direction/s including a writ preferably in the nature of CERTIORARI for quashing the memo No. 456 dated 26-12-2015 issued by Certificate Officer, Mining, Patna Division, Patna (Respondent No. 2) whereby and where under he has issued demand notice for Rs. 88350/- which is due against the petitioner for his brick kiln situated at Hilsa, Nalanda



under the Bihar & Orissa Act No.4, 1914."

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 within three months



from the date of filing of the objection.

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 three months 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	24.06.2025
Transmission Date	

