

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13621 of 2025

Shivnath Pandey Son of Prahlad Pandey R/o- Mohl.- Ward No.-10, Mudila,
Post- Amba, P.S.- Kutumba, District- Aurangabad.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, SC/ST welfare Department, Government of Bihar, Patna, District- Patna.
2. The Principal Secretary, Education Department, Government of Bihar, Patna, District- Patna.
3. The District Magistrate, Aurangabad, District- Aurangabad.
4. The Deputy Development Commissioner, Aurangabad, District- Aurangabad.
5. The District Welfare Officer, Aurangabad, District- Aurangabad.
6. The District Statistic-cum-Certificate Officer, Aurangabad, District- Aurangabad.
7. The Branch Manager, Indian Bank, Branch Aurangabad, District- Aurangabad.
8. The S.H.O.- Cum- Officer-in-Charge, Amba, District- Aurangabad.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Rajiv Ranjan Kr. Pandey
For the Respondent/s	:	Mr. Madhaw Pd Yadav, Government Pleader (23)
		Mr. Arvind Kumar, AC to GP 23
For the Indian Bank	:	Mr. Rajan Ghoshvare, Advocate

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 15-12-2025 1. Heard the parties.

2. The petitioner has filed the present writ application for quashing three notices dated 26.04.2025 in the certificate proceedings initiated against the petitioner bearing Certificate Case No. 711 / 2022-23, Certificate Case No. 717 / 2022-23 & Certificate Case No. 718 / 2022-23 issued by the Auction Certificate Officer-cum-District Statistic Officer, Aurangabad



and also for quashing the notice dated 12.03.2025 issued in Certificate Case No. 718 / 2022 -23.

3. Learned counsel for the petitioner submits that the scholarship amount, meant for schedule castes and schedule tribes students to the tune of Rs. 2.5 crore for different schools in the district of Aurangabad, has been embezzled through fake account and without ascertaining the fact as to whether the petitioner was real beneficiary or not, the name of the petitioner has been incorporated in the F.I.R. A notice under Section 7 of the Public Demands Recovery Act has been served upon the petitioner through the Officer-in-charge of Amba Police Station, Aurangabad.

4. Learned counsel for the State submits that the petitioner has not filed his objection under Section 9 of the Public Demand Recovery Act against notice issued to the petitioner under Section 7 of the Public Demand Recovery Act. As such, the petitioner may be permitted to file his objection before the Certificate Officer, Aurangabad.

5. Considering the submissions advanced by the parties and taking into consideration the nature of prayer made in the present writ application, I feel it expedient to dispose this writ application with liberty to the petitioner to file his objection



under Section 9 of the Bihar and Orrisa Public Demand Recovery Act, 1914 before the respondent no. 6 / District Statistic Officer-cum-Certificate Officer, Aurangabad within a period of thirty days from today.

6. If such an objection is filed by the petitioner, the District Statistic Officer-cum-Certificate Officer, Aurangabad shall consider the same and dispose the objection in accordance with law within a period of three months from the date of filing of the objection.

7. With the aforesaid observation and direction this writ application is disposed of.

(Anil Kumar Sinha, J)

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