

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13046 of 2025

=====

Anil Kumar Son of Late Krishna Singh Proprietor of M/s Sri Sai Rice Mill,
Resident of Village Bishnupura, PS Bihta, District Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Food and Civil Supplies Department, Government of Bihar, at Patna.
2. Bihar State Food and Civil Supplies Corporation, through its Managing Director, Government of Bihar, at Patna.
3. The District Manager, Bihar State Food and Civil Supplies Corporation, Madhubani, District Madhubani.
4. The District Manager, Bihar State Food and Civil Supplies Corporation, Patna. District Patna.
5. The District Magistrate, Madhubani, District Madhubani.
6. The District Certificate Officer, Madhubani. District Madhubani.
7. The Additional Collector, District Disaster Management, Madhubani, District Madhubani.
8. The Officer-in-Charge, Bihta, PS Bihta, District Patna.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s	:	Ms.Alka Singh, Adv.
For the Respondent/s	:	Mr.Ramadhar Singh, GP- 25
For BSFC	:	Mr Shailendra Kumar Singh, Adv.
		Ms. Shilpi Singh, Adv.

=====

CORAM: HONOURABLE MR. JUSTICE A. ABHISHEK REDDY
ORAL ORDER

2 09-09-2025 Without going into the merits or demerits of the case,

the present writ petition is disposed of at the stage of admission

with the consent of both the parties.

2. It is the case of the petitioner that the Certificate

Officer, without issuing a notice under Section 7 of the Bihar

and Orissa Public Demand Recovery Act, 1914 has straight-

away issued the order of arrest warrant.



3. Learned counsel submits that the petitioner is unable to file his objections under Section 9 of the Act due to non furnishing of the notice under Section 7 of the Act and also the requisition letter by the respondent -BSFC.

4.Learned counsel, therefore, prays Hon'ble Court to direct the District Certificate Officer, Madhubani (respondent no. 6 herein) to furnish the notice under Section -7 along with the requisition letter issued by the respondent BSFC and the petitioner may be granted an opportunity for filing his objection under Section 9 of the Act.

5. Having regard to the above made submission, the present writ petition is disposed of directing the respondent no. 6 i.e. the District Certificate Officer, Madhubani to issue notice under Section -7 to the petitioner along with the other materials, the authorities relies on, within a period of two weeks from the date of receipt of a copy of this order, granting ample opportunity to the petitioner to file his objection under Section -9 of the Act, whereafter, the petitioner is directed to file his objection within the stipulated period. After receipt of the objection by the petitioner, the authority is directed to pass necessary final orders under Section 10 of the Act duly taking into consideration the objection filed by the petitioner. The



authorities shall endeavour to pass a final order as expeditiously as possible preferably within a period of twelve weeks from the date of receipt of objection filed by the petitioner.

6. Needless to observe that before passing any order, the petitioner shall be given an opportunity of hearing. Any order passed, shall be communicated to the petitioner.

7. Till such time the final orders are passed, the authorities are directed not to take any coercive steps against the petitioner. However, it is made clear that in case the petitioner does not cooperate for final disposal of the case under Section 10 of the Act, the authority is free to pass necessary orders strictly in accordance with law.

8. With the above directions, the present writ petition stands disposed of.

(A. Abhishek Reddy , J)

sunilkumar/-

U			
---	--	--	--

