

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15170 of 2024

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1. Amarjeet Kumar S/o- Gorakh Prasad Yadav R/o- Vill.- Uttari Hajipur, Ward no.- 13, P.S.- Chitragupta Nagar, Patel Chowk, District- Khagariya.
 2. M/s Khagariya Brick Industry Private Limited, through Amarjeet Kumar, Managing Director.

... .. Petitioner/s

Versus

1. The State of Bihar through Additional Chief Secretary, Mines and Mineral Department, Govt. of Bihar.
2. Additional Chief Secretary, Mines and Mineral Department, Govt. of Bihar.
3. Assistant Director-cum-In charge, Mines Development Officer, Khagariya.
4. District Magistrate, Khagariya.
5. Sub-Divisional Officer, Khagariya.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. S.N.P. Singh, Sr. Adv.
	:	Mr. S.P. Singh, Adv.
	:	Mr. Kumar Sameer, Adv.
For the Respondent/s	:	Mr. Standing Counsel (16)
For the Mining	:	Mr. Naresh Dikshit, Adv.
	:	Ms. Kalpana, Adv.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 30-10-2025

1. Heard the parties.

2. The contention of the petitioner is that a Certificate Case No. 434 of 2024 has been initiated against him for recovery of dues of Rs. 2,409,2,338/- towards non-payment of royalty for extracting soil from the government land.

3. Mr. S.N.P. Singh, learned senior counsel for the petitioner, submits that the FIR was lodged for illegal extracting of soil from the subject land bearing Khagariya P.S. Case No. 452 of 2023 on 06.05.2023.



After 1 year of the lodging of the FIR, a notice with regard to initiating certificate case against the petitioner was issued on 25.07.2024. The petitioner has submitted his objection under Section 9 of the Bihar and Odisha Public Demand Recovery Act, 1940, before the Certificate Officer on 23.08.2024 and the same is still pending.

4. Considering the nature of dispute and the fact that objection of the petitioner under Section 9 of the Bihar and Odisha Public Demand Recovery Act, 1940, is still pending before the Certificate Officer, the present writ application is disposed with direction to the Respondent/Certificate Officer, Khagariya, to consider the objection of the petitioner in accordance with law and dispose the same expeditiously by a reasoned order within a period of 4 months. It is made clear that this Court has not gone into the merit of the case of the parties.

5. With the aforesaid direction, the present writ application is disposed.

(Anil Kumar Sinha, J)

HarshPandey/-

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