

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19400 of 2018

=====

Harihar Mahto Son of late Dasai Mahto Resident of Village- Shahpur Akhada,
P.O. P.S.- Aurangabad, District- Aurangabad.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The District Magistrate, Aurangabad.
3. The District Certificate Officer, Aurangabad.
4. The District Land Acquisition Officer, Aurangabad.
5. The Competent Authority-Cum-Deputy Collector Land Reforms District
Land Acquisition Office, Aurang
6. The Circle Officer, Aurangabad.
7. Merajuddin
8. Janul Aaweddin
9. Reyajuddin
10. Tejuddin, All Sons of late Amiruddin, and Resident of Village- Kuraisin,
Mohalla- Aurangabad, P.O. P.S. - Aurangabad, District- Aurangabad.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s	:	Mr.Varun Kumar Trivedi, Adv.
For the Respondent/s	:	Mr.Rishi Raj Sinha- SC19
		Mr. Saurabh Kumar, AC to SC19

=====

CORAM: HONOURABLE JUSTICE SMT. G. ANUPAMA CHAKRAVARTHY

ORAL JUDGMENT

Date : 01-08-2025

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

*“(i) That the entire proceeding
in the Certificate Case No. 36/2018-19
pending in the Court of Learned
Certificate Officer, Aurangabad be
quashed.*

(ii) That the notice of



certificate debtor dated 05.04.2018 contained in Annexure -'4' issued by the Court of District Certificate Officer may be quashed.

(iii) That the Letter no. 858 dated 09.08.2018 contained in Annexure-' 5' issued by the court of Zila Nilam Patra Padadhikari, Aurangabad (Zila Nilam Shakha) may be quashed.

(iv) That the respondents may be directed not to take any coercive step against the petitioner.

(v) That any other relief or relieves may be allowed which will be just proper and equitable in the opinion of this Hon'ble Court.

2. At the outset, the Learned counsel for the petitioner seeks indulgence of this Court to grant liberty to file fresh 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 submitted that he has no objection, if



a direction is given to the concerned authority 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 fresh objections under Section 9 before the concerned authority 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.

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)

AMANDEEP/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	01.08.2025
Transmission Date	

