

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18257 of 2023

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Sambhu Singh Son of Late Umakant Singh, resident of village and Post Karhi, Ward No. 9, P.S. Arear, Benipatti, District Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Rural Works Department, Government of Bihar, Patna.
2. The Director, Panchayati Raj, Bihar, Patna.
3. The District Magistrate, Madhubani.
4. The Deputy Development Commissioner cum Senior Certificate Officer, Madhubani.
5. The District Panchayati Raj Office, Madhubani.
6. The Block Panchayati Raj Officer, Benipatti, District Madhubani.
7. The Block Development Officer, Benipatti, District Madhubani.
8. The Mukhiya, Gram Panchayat Raj Nagwas, District Madhubani.
9. The Panchayat Secretary, Gram Panchayat Raj Nagwas, District Madhubani.
10. The Junior Engineer, Block Project Unit Block, Benipatti, District Madhubani.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Alka Pandey
For the Respondent/s : Mr. Gyan Prakash Ojha, GA-7

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 3 18-11-2025 1. The petitioner has filed the present writ application for quashing the certificate proceeding, bearing Certificate Case No. 62/2022-23, filed by the Panchayat Secretary, Nagwas, Madhubani, for recovery of Rs. 16,87,500/- from the petitioner.
2. Learned counsel for the petitioner submits that the petitioner was awarded work project for construction of PCC Road from the house of Marendra Kunwar to the



house of Sanjay Singh in Ward No. 9 under the Mukhya Mantri Gramin Nali Pakki Karan Nischay Yojana duly approved by the Gram Sabha of Gram Panchayat Raj Nagwas, Block Benipatti, for the cost of Rs. 14,88,900/- having Scheme No. 2/2020-21.

3. The work was started on 19.06.2020 and completed by the petitioner within the prescribed time on 30.06.2020. The respondent-9, illegally and erroneously filed a Certificate Case No. 62/2022-23 for recovery of a sum of Rs. 16,87,500/- from the Chairman of Ward Implementation and Management Committee, Ward No. 9, and the petitioner under Section 5 of the Public Demand Recovery Act, in which, notice was issued to the petitioner on 14.02.2023.
4. Learned counsel for the State submits that from perusal of the paragraph-13 of the writ petition, it appears that some objection was filed before the Certificate Officer, however, upon going through the objection, dated 30.09.2023, annexed at Annexure-P/6, it appears that the same is not an objection filed before the Certificate Officer.
5. Considering the submissions advanced by the parties and



nature of prayer made in the present writ application, I feel it expedient to dispose the writ petition with liberty to the petitioner to file a fresh objection under Section 9 of the Bihar and Orrisa Public Demand Recovery Act, 1914, before the Certificate Officer within a period of 30 days from today.

6. If such an objection is filed by the petitioner, the Certificate Officer shall consider the same and dispose the objection in accordance with law within a period of three months from the date of filling of the objection.
7. With aforesaid observations and directions, this writ application is disposed.

(Anil Kumar Sinha, J)

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