

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.22390 of 2018

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Murad Hussain Son of Late Sakiruddin, Resident of Village-Belauna, P.S.-
Bihiya, District Bhojpur.

... .. Petitioner/s

Versus

1. The State Of Bihar through Secretary, Minor Irrigation Deptt, Govt of Bihar
2. The District Magistrate, Bhojpur at Ara.
3. District Certificate Officer, Bhojpur at Ara.
4. Sub-Divisional Magistrate, Jagdishpur, District Bhojpur.
5. Executive Engineer, Tube Well Division, Ara, District Bhojpur.
6. Executive Engineer, Minor Irrigation Division, Ara, District-Bhojpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Jitendra Prasad Singh, Sr. Adv. Mr. Rajeev Kumar, Adv. Mr. Varun Krishna Singh,a Adv.
For the Respondent/s	:	Mr.Sitaram Pd.Yadav -Sc14 Mr. Yatindra narayan, AC to GP16

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CORAM: HONOURABLE JUSTICE SMT. G. ANUPAMA CHAKRAVARTHY

ORAL JUDGMENT

Date : 20-08-2025

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

*“That, the present writ
application has been filed for
issuance of an appropriate Writ or
Writs setting aside the order dated
18.07.2018 passed by the District
Certificate Officer, Ara in Certificate
Case No. 03/14-15 by which warrant
has been issued against the
petitioner as well as for quashing the
entire above mentioned certificate*



proceeding as the same is not maintainable and/or to grant any other relief/reliefs for which the petitioner is legally entitled in the facts and circumstances of the case.

2. The Learned counsel for the petitioner contended that he has filed his objections under Section 9 of the Bihar and Orissa Public Demands Recovery Act, 1914 before the concerned authority and the same is still pending with the Certificate Officer. Further it is contended that without passing the final order under Section 10 of the Act, Warrant of Arrest was issued against the petitioner and, therefore, prayed to set aside the order of Warrant of Arrest.

3. The Learned counsel for the respondents reported that he has no objection, if a direction is given to the respondent No. 3 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 directing the Respondent No. 3 to pass appropriate orders under Section 10 of the Act within a period of three months from today.

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. Further the petitioner is directed to appear before the Certificate Officer for proper adjudication of the case.

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	22.08.2025
Transmission Date	

