

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15165 of 2018

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Rakesh Kumar Son of Late Ram Paras Singh, Director of Paras publication Pvt. Ltd. Hazipur Industrial Area, Vaish resident of Mohalla- Salimpur Ahra, P.O. and P.S.- Kadamkuan, Town and District- Patna- 800003

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors
2. The State of Bihar through the Principal Secretary, Department of Revenue, Govt. of Bihar, Patna.
3. The District Magistrate, Vaishali at Hazipur.
4. The Sub Divisional Certificate Officer, Vaishali at Hazipur.
5. The Factory Inspector, Vaishali at Hazipur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Rajgiri Singh
For the Respondent/s : Mr.Sushil Kumar Singh, AC to AAG-13

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CORAM: HONOURABLE JUSTICE SMT. G. ANUPAMA CHAKRAVARTHY

ORAL JUDGMENT

Date : 23-07-2025

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

(i) To issue a writ in nature of certiorari to quash the notice u/s-7 of Bihar & Orissa Public Demand Recovery Act, 1914 (in short the Act) dated 23.01.2018 issued under the authority of Sub-Divisional Certificate Officer, Vaishali at Hazipur; As also to quash the order dated 03.04.2018 by which Bailable warrant has been issued by the same authority without rendering valid service of notice and compliance of Sec.9 of the Act;



As also to quash the requisition letter No.7, dated 18.01.2018 addressed to Sub Divisional Certificate Officer, Vaishali at Hazipur, issued under the authority of Factory Inspector, Hazipur wherein request has been made to initiate certificate proceeding for recovery of Rs.40,000/- from this petitioner as fine imposed under Child Labour Act.

As also to quash entire proceeding in connection with aforesaid notice dated 23.01.2018.

(ii) To hold and declare that petitioner has not committed any violation of Child Labour Act and the fine of Rs.40000/- imposed by the Factory Inspector payable by the petitioner is not acceptable in the eye of law.

(iii) To restrain the respondents from harassing the petitioner.

(iv) To grant any other reliefs.

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 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)

vinita/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	28.07.2025
Transmission Date	

