

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16820 of 2018

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Md. Kaisar @ Kaisar Alam S/o Late Abudul Wahid, resident of Village-
Bathana Dih, Ward No.- 4, P.O.- Pakari Pakohi, P.S.- Karja, District-
Muzaffarpur.

... .. Petitioner/s

Versus

1. The State Of Bihar through Principal Secretary, Co-operative Deptt. Govt. of Bihar, Patna
2. Bihar Rajya Sahakari Bhumi Vikash Bank Samiti, Patna.
3. Collector-Cum- District Magistrate, Muzaffarpur.
4. Kshetra Prabandhak-Cum- Nilam Patra Padadhikari, Bihar Rajya Sahkari Bhumi Vikash Bank, Muzaffarpur
5. Shakha Prabandhak, Bhumi Vikash Bank, Muzaffarpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Sanjay Kumar @ S.K.
For the Respondent/s	:	Mr.Syed Iqbal Ahmad -SC20
		Mr.Mahendra Pd. Verma, AC to SC20
For the Bank	:	Mr. Rajesh Pd. Chaudhary, Adv

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CORAM: HONOURABLE JUSTICE SMT. G. ANUPAMA CHAKRAVARTHY

ORAL JUDGMENT

Date : 19-08-2025

1. The Writ petition is filed for the following

reliefs:-

“(I) For issuance of appropriate writ order/direction(s) in the nature of certiorari for quashing the order dated 08.05.2018 (Memo no.-53 dated 15.05.2018), passed in Certificate Case No.-09/17-18, by which an auction order passed for mortgaged property of the petitioner against loan amount Rs. 1,25,000/- under the P.D.R. Act

(II) For issuance of appropriate order/orders to the respondents, to release the mortgaged land of the petitioner which is 0.20 and 1/2 decimal



area situated in Mauja-Bathana Dih, Thana no.-322, Khata No.- 138 and Khesara Nos.- 455, 459, 522, 595.

(III) For issuance of any other relief/reliefs to which the petitioner may be entitled to in the facts & circumstances of the case.

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)

AMANDEEP/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	21.08.2025
Transmission Date	

