

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1926 of 2025

1. Rafiuzzama Son of Md. Kausar Ali, Resident of Village- Laruara, P.S. Mufassil Begusarai, District- Begusarai.
2. Hena Parveen D/o Md. Ejaz, Resident of Village- Laruara, P.S. Mufassil Begusarai, District- Begusarai.
3. Asma Khatoon D/o Md. Naushad Ali, Resident of Village- Laruara, P.S. Mufassil Begusarai, District- Begusarai.
4. Md. Tausif S/o Md. Vismil, Resident of Village- Laruara, P.S. Mufassil Begusarai, District- Begusarai.
5. Saifullah S/o Md. Kurais, Resident of Village- Laruara, P.S. Mufassil Begusarai, District- Begusarai.
6. Md. Abu Wakar S/o Md. Amim Ansari, Resident of Village- Laruara, P.S. Mufassil Begusarai, District- Begusarai.
7. Md. Tanweer S/o Md. Naushad Alam, Resident of Village- Laruara, P.S. Mufassil Begusarai, District- Begusarai.
8. Ruhi Parveen D/o Md. Ahrar, Resident of Village- Laruara, P.S. Mufassil Begusarai, District- Begusarai.
9. Md. Rashid S/o Md. Yusuf, Resident of Village- Laruara, P.S. Mufassil Begusarai, District- Begusarai.
10. Mantasha Parveen D/o Aftab Alam, Resident of Village- Laruara, P.S. Mufassil Begusarai, District- Begusarai.
11. Albina Parveen D/o Aftab Alam, Resident of Village- Laruara, P.S. Mufassil Begusarai, District- Begusarai.
12. Md. Salman S/o Aftab Alam, Resident of Village- Laruara, P.S. Mufassil Begusarai, District- Begusarai.
13. Md. Rehan Aftab S/o Aftab Alam, Resident of Village- Laruara, P.S. Mufassil Begusarai, District- Begusarai.
14. Md. Faizan Alam S/o Aftab Alam, Resident of Village- Laruara, P.S. Mufassil Begusarai, District- Begusarai.
15. Mahfuz Alam S/o Md. Nasim, Resident of Village- Laruara, P.S. Mufassil Begusarai, District- Begusarai.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Addl. Chief Secretary/Principal Secretary, Higher Education Department, Government of Bihar, Patna.
3. The District Programme Officer, Yojna and Lekha, Begusarai.
4. The Bihar State Education Finance Corporation Limited, through its Managing Director, Begusarai.
5. The Assistant Manager Yojna, the Bihar State Education Finance Corporation Limited, Begusarai.
6. Dr. Mandan Mishra Sanskrit College Sanjala, Begusarai-851133 through its Secretary of Managing Committee.

... .. Respondent/s



Appearance :

For the Petitioner/s : Mr.Binay Kumar, Advocate
Mr. Hafiz Shahbaz Arif, Advocate
For the State : Mr.Manoj Kumar, AC to G.P.-4
For the B.S.E.F.C.L : Mr. Kumar Ravish, Advocate

CORAM: HONOURABLE MR. JUSTICE VIKASH KUMAR
ORAL ORDER

2 06-07-2026 Heard Shri Binay Kumar along with Shri Hafiz Shahbaz Arif, learned Advocates for the petitioners, Shri Manoj Kumar, learned AC to GP-4 for the State and Shri Kumar Ravish, learned counsel for the Bihar State Education Finance Corporation Limited (B.S.E.F.C.L).

2. In the present writ application the petitioners has prayed for the following reliefs:-

(i) For issuance of an appropriate writ, order or direction for quashing the demand notices issued against the petitioners for recovery of educational loan along with interest sanctioned to the petitioners under the Bihar Student Credit card scheme as detailed in the notices.

(ii) For issuance of an appropriate writ or direction granting ad-interim stay of the proceeding initiated against the petitioners for recovery of loan during the pendency of this writ petition.

(iii) For issuance of an appropriate writ order or direction restraining the respondents from recovering the loan amount sanctioned to them as the Major part of the loan has been misappropriated by the respondents in collusion and conspiracy with each other.

(iv) For issuance of an appropriate writ order or direction for initiation of appropriate legal proceedings for committing fraud and forgery with the petitioners and ruining



their entire future career.

(v) For issuance of an appropriate writ order or direction for payment of adequate compensation to the petitioners as a big fraud has been committed by the respondent by ruining their future educational as well as employment career.

(vi) For any other relief/reliefs for which the petitioner is found to be entitled under the provision of law involved in the present case.

3. The counter affidavit on behalf of respondent no.4 is on record, which has been received by the petitioner on 11.02.2025, but no rejoinder has been filed to the counter affidavit by the petitioner till date. For present adjudication paragraphs 8 and 9 of the counter affidavit are reproduced hereinbelow:-

“8. That all these petitioners are defaulters in repayment of education loan amount and thus against them certificate cases under the provisions of Bihar and Orissa Public Demand Recovery Act were instituted before the competent Certificate Officer as per the terms and conditions of the education loan executed between the parties and all of them were noticed by the concerned Certificate Officer. The details of the certificate cases of these petitioners are tabulated hereunder: -



Pet. No.	Student Name	Certificate/ Case No.
1.	MD RAFIUZZAMA	248/23-24
2.	HENA PERWEEN	145/23-24
3.	AASMA KHATOON	249/23-24
4.	MD TAUSIF	147/23-24
5.	MD SAIFULLAH	146/23-24
6.	MD ABUBAKAR	264/23-24
7.	MD TANWEER	507/24-25
8.	RUHI PARWEEN	468/24-25
9.	MD RASHID	447/24-25
10.	MANTASHA PERWEEN	458/24-25
11.	ALBINA PERWEEN	498/24-25
12.	MD SALMAN ALAM	456/24-25
13.	MD REHAN AFTAB	509/24-25
14.	MD FAIZAN ALAM	452/24-25
15.	MD MAHFUZ ALAM	511/24-25

9. That all these petitioners, thus, have the remedy to appear before the Certificate Officer, if not already appeared, and filed their statutory objections as per the provisions of the Bihar and Orissa Public Demand Recovery Act”.

4. Since the certificate proceeding has already been initiated against the petitioners and notices in this regard are not under challenge. The petitioners have an opportunity to present their side by filing objections under Section 9 of the *Bihar and Orissa Public Demand Recovery Act*.

5. Accordingly, the present writ application is disposed off.



(Vikash Kumar, J)

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