IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7189 of 2023

CNR No. BRHC010385002023

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Binod Kumar Son of Ram Sagar Sharma Resident of Village- Arpa, Police Station- Hilsa, District- Nalanda, retired IVth- Grade employee cum then Nazir, Block Officer- Gurua, Parent Department, Joint Director (Agriculture), Magadh Division, Gaya

... ... Petitioner/s

Versus

1. The State of Bihar Through the Collector-cum District Magistrate, Gaya, District- Gaya
2. The Certificate Officer, The officer of the Certificate Officer, District- Gaya
3. The Certificate Holder-cum- Block Development Officer Block- Gurua, District- Gaya

... ... Respondent/s

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Appearance :
For the Petitioner/s : Mr. Binod Kumar, Advocate
For the Respondent/s : Dr. Anjani Prasad Singh, SC-14

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CORAM: HONOURABLE JUSTICE SMT. G. ANUPAMA CHAKRAVARTHY

ORAL JUDGMENT
Date : 28-10-2026

1. The petitioner has filed the Writ petition for the following reliefs:

(i) For quashing of notice u/s 7 of Bihar and Orissa Public Demands Recovery Act, 1914 sent to the petitioner (Certificate Debtor) by the Certificate Officer, Gaya in Case No. 01/2020-21 on 16-07-2020.

(ii) For further direction to quash the entire certificate proceeding of Case No. 01/2020-21 filed by the certificate holder the Block Development Officer, Gurua, Gaya.

(iii) For issuance of any other relief/reliefs for which petitioner may be found

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entitled in the facts and circumstances of the present case and accordingly would be relief which has not been expressly sought for.

2. At the outset, the Learned counsel for the petitioner submits that, after issuance of notice under Section 7 of the Bihar and Orissa Public Demands Recovery Act, 1914, the petitioner filed his objections before the concerned authority; however, no order has been passed under Section 10 of the Act. Therefore, he prays that the concerned authority be directed to pass appropriate orders after duly taking into consideration the objections filed by the petitioner.

3. The Learned counsel for the respondents submits that he has no objection if a direction is issued to the concerned authority to pass appropriate orders under Section 10 of the Act after duly considering the objections filed by the petitioner.

4. Having regard to the submissions made above and without going into the merits or demerits of the case, this Court directs the

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concerned authority to pass appropriate orders under Section 10 of the Act, on the objections filed by the petitioner, within a period of three months from the date of receipt/production of a copy of this order.

5. It is needless to mention that, before passing any order, the authority concerned shall provide an opportunity of hearing to the petitioner. Any order passed shall be communicated to the petitioner.

6. Till the passing of the final order by the Certificate Officer/concerned authority, no coercive steps shall be taken against the petitioner.

7. With the aforesaid observations and directions, the Writ petition stands disposed of.

8. Interlocutory Application(s), if any, shall also stand disposed of.

(G. Anupama Chakravarthy, J)

Aryan/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	28.10.2026
Transmission Date	N/A

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