

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14887 of 2019

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Annapurna Rice Mill Gurmha, through its proprietor Pravesh Kumar, aged about 50 (Male), son of Beradar Singh, Resident of Village Gurmha, PS Mufassil, Dist. Nawada

... .. Petitioner/s

Versus

1. The State of Bihar through the District Magistrate, Nawada
2. The District Certificate Officer, Nawada
3. The Bihar State Food and Civil Supplies Corporation Limited through its District Manager, Nawada Dist. Nawada

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Devendra Prasad Singh, Adv.
For the Respondent/s	:	Mr. S. Raza Ahmad (AAG-5)
		Mr. Shailendra Kr. Singh, Adv.
		Mr. Utkarsh Utpal, Adv.

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CORAM: HONOURABLE JUSTICE SMT. G. ANUPAMA CHAKRAVARTHY

ORAL JUDGMENT

Date : 17-07-2026

1. The petitioner has filed the instant application for the following reliefs:

“That the present Writ application is for quashing the order dated 25.06.209 (wrongly shown as 05.06.2019 in order) as passed by Learned District Officer (respondent No. 2) in Certificate Case No. 06/2014/15 (Misc) directing to issue B.W. (Body Warrant) against the petitioner for non-depositing of interest amount to Rs. 6,70,357.00/-”

2. During the course of arguments, the Learned counsel for the petitioner fairly submitted that, in response to the first notice, the petitioner



had filed a detailed objection before the Certificate Officer, Nawada under Section 9 of the Public Demands Recovery Act (hereinafter referred to as "the Act"), raising objections to the said notice.

3. It is submitted that, instead of passing an order under Section 10 of the Act on the said objection, the respondents issued the second notice and thereafter, also issued a warrant of arrest, which is also challenged by the petitioner in the present writ petition.

4. By virtue of the order of this Court dated 30.07.2019, Certificate Case No.06 of 2014-15 pending before the Certificate Officer, Nawada, was stayed and in view of the stay proceedings, the respondents have not passed any order under Section 10 of the Act.

5. Since, the petitioner has already filed his objection under Section 9 of the Act, this Court is of the considered view that it would be just appropriate for the Certificate Officer to consider the same and pass an appropriate order under Section 10 of the Act in accordance with law, after



considering all the claims and contentions of the parties.

6. Accordingly, this Court directs concerned respondents to pass an appropriate order under Section 10 of the Act in Certificate Case No. 06 of 2014-15. Before passing such order, the petitioner shall be afforded a reasonable opportunity of hearing and till the passing of such order, no coercive steps shall be taken against the petitioner.

7. Further, the Certificate Officer, Nawada shall dispose of the case within three months from the date of receipt of this order.

8. With the above said observation, the Writ petition is disposed of.

9. Interlocutory application(s), if any, shall also stand disposed of.

(G. Anupama Chakravarthy, J)

Manish/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	22.07.2026
Transmission Date	

