

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11654 of 2023

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Bharat Prasad Sah Son of Badri Sah Resident of Vilalge-Bhadesar, P.S.-
Jogbani, Districty-Araria.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Revenue and Land Reforms Department, Govt. of Bihar, Patna.
2. The Principal Secretary, Revenue and Land Reforms Dept., Govt. of Bihar, Patna.
3. The District Magistrate-Cum-Collector, Araria, District-Araria.
4. The Addl. Collector-Cum-Certificate Officer, Araria, District-Araria.
5. The District Land Acquisition Officer, Araria, District-Araria.
6. The Certificate Officer Araria, District-Araria.
7. The Anchaladhikari, Narpatganj, District-Araria.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Sharda Nand Mishra, Adv Mr. Bishwa Nath Mahto, Adv. AK Sinha, Adv. Mr. BK Gupta, Adv. Ms. Isha Mishra, Adv.
For the Respondent/s	:	Mr. Raj Kishore Roy (GP-18) Mr. Navnit Kr. AC to GP_18

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CORAM: HONOURABLE JUSTICE SMT. G. ANUPAMA CHAKRAVARTHY

ORAL JUDGMENT

Date : 22-07-2026

1. The Writ petition has been filed for the

following reliefs:

"I. For issuance of writ nature of certiorari for quashing for warrant of the arrest dated 18.07.2023 issued under signature of the Certificate Officer, Araria in Certificate Case No.01/2021-22 due to non-payment of the original demand of Rs. 63,40,000/- without considering objection application of petitioner.

(II) Further quashing the letter bearing Memo No.2687 dated 25.07.2023 issued under



signature of the Addl. Collector, Araria for compliance of the arrest warrant which was issued vide letter No.2561 dated 18.07.2023.

(iii) For quashing the Certificate Case No.01/2021-22 and notice under section 7 of the Public Demand Recovery Act by which directed to the petitioner to submit objection application within 30 days from the date of the receiving the notice dated 14.06.2021, whenever mutation appeal is pending for due consideration of Jamabandi to petitioner.

(iv) Further issue direction to the respondent for considering objection application which has filed under section 9 of the PDR Act on 23.07.2021, 27.12.2021 and 07.01.2022 but said objection application has not been considered and not disposed off and without considering and disposing the objection application to the petitioner, is sued arrest warrant vide letter Memo No.2561 dated 18.07.2023.

v) For further give other legal consequential benefit to attached to the petitioner.”

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, Araria under Section 9 of the Public Demands Recovery Act (hereinafter referred to as "the Act"), vide Annexure-4, 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 30.08.2023, Certificate Case No.01 of 2021-22 pending before the Certificate Officer, Araria, 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. 01 of 2021-22. 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, Araria 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	

