2026:JHHC:26498

IN THE HIGH COURT OF JHARKHAND AT RANCHI

W.P(C) No. 6877 of 2026

Santosh Paswan @ Santosh Kumar Paswan S/o Rameshwar Ram, R/o Vikash Nagar Gaushala Road, Near Kerla Sister School, PO + PS Ramgarh, District Ramgarh, Jharkhand

.... Petitioner(s).

Versus

1.The State of Jharkhand through the Chief Secretary, Government of Jharkhand
2.The Principal Secretary, Department of Distribution and Consumers Affairs, Government of Jharkhand
3.The Deputy Commissioner at Ramgarh
4.The District Supply Officer at Ramgarh
5.The Certificate Officer cum District Supply Officer at Ramgarh
6.The Sub-Divisional Officer at Ramgarh
7.Block Supply Officer at Ramgarh

… Respondent(s).

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CORAM : SRI ANANDA SEN, J.

For the Petitioner(s) : Mr. S.K. Vishwakarma, Advocate
For the State : Mr. Uttam Kr. Das, AC to GP-VI

……..

02/ 02.09.2026: This writ petition is pre-mature.

2. Petitioner is challenging at Annexure-5, which is notice under Section 7 of the Bihar and Orissa Public Demands Recovery Act, 1914. The notice is dated 16.06.2026.

3. On the earlier occasion, the petitioner challenges the cancellation of PDS (Public Distribution System) licence order, wherein he apprehended that a Certificate Case will be initiated against him. While disposing of the aforesaid writ petition being W.P.(C) No.2414 of 2016, in para 4, this Court had order that so far Certificate proceeding is concerned, if a notice is issued to the petitioner, petitioner can approach the Certificate Officer by filing an application denying liability under Section 9 of "Bihar and Orissa Public Demands Recovery Act, 1914, which needs to be adjudicated. Further, in para 4.2, it was held that the Certificate Officer will consider the case of the petitioner and pass a reasoned order after giving opportunity of hearing to the

parties. It is necessary to quote paras 4 and 4.2 of the aforesaid order:-

> *"4. So far as the Certificate Proceeding is concerned, once a notice is issued to the petitioner, the petitioner can approach the Certificate Officer by filing an application denying the liability under Section 9 of "Bihar and Orissa Public Demands Recovery Act, 1914", which needs to be adjudicated.*
> *4.2. The Certificate Officer will consider the case of the petitioner and pass a reasoned order after giving opportunity of hearing to the petitioner."*

4. Thereafter a notice has been issued to the petitioner on 16.06.2026 under Bihar and Orissa Public Demands Recovery Act, 1914. Petitioner has rushed before this Court, challenging the said notice.

5. The notice has been issued by a competent authority giving details. There is provision of filing a reply and objecting such demand in terms of Section 9 of "Bihar and Orissa Public Demands Recovery Act, 1914.

6. Thus, I am not inclined to entertain this writ petition especially considering the observation made paras 4 and 4.2 of the order dated 13.04.2026 passed in W.P.(C) No.2414 of 2016, the same is **disposed of** with a direction to the petitioner to approach the appropriate authority by filing a reply.

(ANANDA SEN, J.)

2nd September, 2026
R.S./
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