

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15264 of 2017

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Nishi Bhushan Das S/o Late Ayodhya Prasad, resident of Village- Dhouni,
P.S.- Tarapur, District- Munger, the then B.D.O., Pipariya, Lakhisarai.

... .. Petitioner/s

Versus

1. The State Of Bihar through the District Magistrate, Lakhisarai,
2. The Certificate Officer, Lakhisarai.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Diwakar Prasad Karn, Adv. Mr. Chandra Shekhar Anand, Adv.
For the Respondent/s	:	Mr.Ajay Kr.Rastogi -AAG10 Mr. Rohitabh Das, AC to AAG13

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CORAM: HONOURABLE JUSTICE SMT. G. ANUPAMA CHAKRAVARTHY

ORAL JUDGMENT

Date : 28-07-2025

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

*1. This writ application is being
filed for quashing the Certificate Case
under Public Demand Recovery Act
instituted against the petitioner, Vide
Certificate Case No. D.B. No.-44, dated
24.08.2017, the reason for institution of
the case is that, according to Audit
enquiry report no.-279/2008-09 in Social
Suraksha Yojana Rs. 1,07,600/- (One Lakh
seven thousand six hundred) only
invested, but in Social Suraksha Yojana
register 1,29,000/- (One Lakh twenty nine
thousand nine hundred) expenses has*



been shown in which Rs.21,600/- (Twenty one thousand six hundred) rupees has been defaulcated with interest of Rs.2,44,503/- total Rs.2,66,103/- (Two Lakh Sixty six thousand one hundred three) rupees has to be recovered from the petitioner.

a) For stay the further proceeding of the Certificate Case No. D.B. No.-44, dated 24.08.2017 till decision of the instant case by this Hon'ble Court.

b) For any other relief/reliefs for which the petitioner is found entitled by the Hon'ble Court.

2. At the outset, the Learned counsel for the petitioner seeks indulgence of this Court to grant liberty to file objections under Section 9 of the Bihar and Orissa Public Demands Recovery Act, 1914 and direct the authority to pass necessary orders duly taking into account the objections filed by the petitioner.

3. The Learned counsel for the respondents submitted that he has no objection, if a direction is given to the concerned authority to pass



necessary orders under Section 10 of the Act duly taking into account the objections filed by the petitioner.

4. Having regard to the above made submissions, without going into the merits or demerits of the case, the present Writ petition is disposed of granting liberty to the petitioner to file objections under Section 9 before the concerned authority within a period of four weeks from today. On such objections being filed, the authority concerned shall pass necessary orders under Section 10 of the Act.

5. It is needless to mention that before passing any order, the authority concerned shall give an opportunity of hearing to the petitioner. Any order passed shall be communicated to the petitioner. The entire exercise shall be completed as expeditiously as possible preferably within a period of three months from the date of filing of the objections by the petitioner.



6. Till the passing of the final order by the Certificate Officer, it is directed that no coercive steps shall be taken against the petitioner herein.

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

(G. Anupama Chakravarthy, J)

AMANDEEP/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	28.07.2025
Transmission Date	

