

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.11249 of 2014

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Birendra Kumar Singh S/o Late Babuchand Singh R/o Village - Ugar Bigha, P.O. - Jaipur, P.S. - Sasaram, District - Rohtas.

.... Petitioner

Versus

1. The State of Bihar
2. The Mines Commissioner cum Principal Secretary, Mines, Government of Bihar, Patna.
3. The District Magistrate, Rohtas, Sasaram.
4. The Assistant Director, Mines, Rohtas, Sasaram.
5. The Certificate Officer, Mines, Patna Circle, Patna.

.... Respondents

Appearance :

For the Petitioner : Mr. Ashutosh Ranjan Pandey, Advocate.
For the mines : Mr. Naresh Dikshit, Advocate.

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 31-10-2018

The present writ petition has been filed for quashing the entire proceeding in Certificate Case No. 1 of 2013-14 pending in the Court of learned Certificate Officer, Mines, Patna Circle, Patna (respondent no. 5)

2. Learned counsel for the petitioner states that an objection petition under Section 9 of the Public Demands Recovery Act has been filed before the Certificate Officer which however remains pending.

3. Learned counsel for the respondents appears.

4. Having regard to the nature of the grievance of the



petitioner, the writ petition is disposed of with a direction to the Certificate Officer, Mines, Patna Circle Patna (respondent no. 5) to consider and dispose of the petitioner's objection said to have been filed under Section 9 of the PDR Act, if still pending, in accordance with law and after grant of opportunity of hearing to the petitioner.

5. In the meantime, the Certificate Officer shall refrain from resorting to any coercive action for recovery of the dues against the petitioner until disposal of the objection petition as aforesaid.

(Vikash Jain, J)

Md. Ibrarul/BT

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	01.11.2018
Transmission Date	N.A.

