

IN THE HIGH COURT OF JHARKHAND AT RANCHI
W.P. (C) No.6062 of 2016

Central Coalfields Limited, a Company incorporated under the Companies Act, having its registered Office at Darbhanga House, P.O.-Ranchi University, P.S.-Kotwali, District-Ranchi (Jharkhand), through Sri Uma Shankar Singh, son of Sri R.P.Singh presently working and posted as Project Officer, Tapin North Colliery, P.O. Tapin, P.S.-Charhi, District-Ramgarh (Jharkhand) **Petitioner**

Versus

1. The State of Jharkhand
2. District Transport Officer Cum Certificate Officer,
Hazaribagh, P.O.& P.S.-Hazaribagh, District-Hazaribagh
(Jharkhand) **Respondents**

CORAM: HON'BLE MR. JUSTICE RAJESH KUMAR

For the Petitioner	: Mr. Amit Kumar Das, Adv. Mr. Sahay Gaurav Piyush, Adv.
For the Resp.-State	: Mr. Rahul Saboo, GP-II : Mr. Gaurang Jadodia, AC to GP-II

05/Dated: 31st July, 2024

1. Heard learned counsel for the parties.
2. The present writ petition has been filed for following relief:-
“For issuance of appropriate writ(s)/ order(s)/ direction(s) quashing the entire certificate proceeding being Certificate Case No.257/15-16 including the order dated 16.09.2016 (Annexure-5 series) issued by respondent No.2 whereby and whereunder he has been pleased to issue arrest warrant for realization of demanded amount under certificate against the petitioner.”
3. It appears that the issue involved in the present writ petition is covered by the order dated 11.03.2015 passed in W.P.(C) No.3782 of 2013 and batch cases.
4. In that view of the matter, the entire proceeding in Certificate Case No.257/15-16 including the order dated 16.09.2016 (Annexure-5 series) issued by the respondent No.2 is, hereby, quashed and set aside.
5. However, it is open to the State Government to resort to appropriate legal proceeding in terms of the Motor Vehicle Act, 1988 realising fine for

contravention of the provision of the Act. It is made clear that this Court has not examined the merit of the case so far as the culpability of the petitioner for the alleged violation of the provision of the Motor Vehicle Act, 1988 is concerned.

6. With above observation, the present writ petition stands allowed and disposed of.

(Rajesh Kumar, J.)

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