

**IN THE HIGH COURT OF JHARKHAND AT RANCHI**  
**W.P.(C) No.6341 of 2018**

Vivek Pratap Singh

..... ... Petitioner

Versus

1. State of Jharkhand through Superintendent of Police, Hazaribagh.
2. Jharkhand Bijali Vitran Nigam Limited, Engineers' Building, Dhurwa, Ranchi.
3. Certificate Officer, Electric Supply Area, Hazaribag.

.... .... Respondents

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**CORAM : HON'BLE MR. JUSTICE RAJESH SHANKAR**  
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For the Petitioner : Mr. Rohan Kashyap, Advocate  
For the Res. Nos.1 & 3 : Mr. Mukesh Sinha, Sr. S.C. I  
For the Res. No.2 : Mr. Rahul Saboo, S.C. I  
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05/08.09.2021 The present writ petition is taken up today through Video conferencing.

2. The present writ petition has been filed for the following reliefs:
  - a. For quashing the order dated 31<sup>st</sup> March, 2014 (part of Annexure-3 to the writ petition) passed by the learned Certificate Officer, Electric Supply Area, Hazaribag – the respondent no.3 in Certificate Case No.42/B/2013-14 in terms of which notice dated 31<sup>st</sup> March, 2014 was issued in his personal capacity under Section 7 of Bihar & Orissa Public Demands Recovery Act, 1914 (in short 'Act, 1914') against the petitioner without complying the mandatory provisions of the Act, 1914.
  - b. For quashing the order dated 22<sup>nd</sup> July, 2017 (part of Annexure-3 to the writ petition) passed by the respondent no.3 in Certificate Case No.42/B/2013-14 in terms of which the petitioner was directed to deposit entire certificate amount of Rs.8,02,225/- (with interest) till 16<sup>th</sup> August, 2017.
  - c. For quashing and setting aside the order dated 21<sup>st</sup> December, 2017 (part of Annexure-3 to the writ petition) passed by the respondent no.3 in Certificate Case No.42/B/2013-14 in terms of which warrant of arrest has been issued against the petitioner as well as the order dated 19<sup>th</sup> June, 2018 (part of Annexure-3 to the writ petition) passed by the respondent no.3 in Certificate Case

No.42/B/2013-14 in terms of which fresh warrant of arrest has been issued against the petitioner.

**3.** Mr. Rohan Kashyap, learned counsel for the petitioner submits that the present writ petition is covered by the order dated 6<sup>th</sup> July, 2019 passed by a Bench of this Court in W.P.(C) No.6343 of 2018.

**4.** Mr. Mukesh Sinha, learned Sr. S.C. I appearing on behalf of the respondent nos.1 and 3 as well as Mr. Rahul Saboo, learned S.C. I appearing on behalf of the respondent no.2 accept the submission of the learned counsel for the petitioner that the present writ petition is covered by the order dated 6<sup>th</sup> July, 2019 passed in W.P.(C) No.6343 of 2018.

**5.** Considering the aforesaid submission of the learned counsel for the parties, the present writ petition is disposed of in terms with the order dated 6<sup>th</sup> July, 2019 passed in W.P.(C) No.6343 of 2018.

**6.** Accordingly, if the petitioner prefers an objection under Section 9 of the Act, 1914 before the respondent no.3 in Certificate Case No.42/B/2013-14 within ten days from today, the said respondent shall pass an appropriate order under Section 10 of the Act, 1914, after considering the objection of the petitioner as well as on providing an opportunity of hearing to him within a period of three weeks from the date of filing of the said objection.

**7.** The warrant of arrest issued in connection with Certificate Case No.42/B/2013-14 shall be kept in abeyance for a period of three weeks from the date of filing of the objection under Section 9 of the Act, 1914 by the petitioner.

**8.** I.A. No.4503 of 2019 is also disposed of accordingly.

**(Rajesh Shankar, J.)**