

**IN THE HIGH COURT OF JHARKHAND AT RANCHI**  
**W.P.(C) No.6342 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. Deepak Dubey, A.C. to A.A.G.-II  
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 19<sup>th</sup> May, 2015 (part of Annexure-4 to the writ petition) passed by the Certificate Officer, Electric Supply Area, Hazaribag – the respondent no.3 in Certificate Case No.25/B/2015-14 in terms of which notice 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-4 to the writ petition) passed by the respondent no.3 in Certificate Case No.25/B/2015-16 in terms of which the petitioner was directed to deposit entire certificate amount of Rs.4,98,998/- (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-4 to the writ petition) passed by the respondent no.3 in Certificate Case No.25/B/2015-16 in terms of which 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 30<sup>th</sup> January, 2019 passed by a Bench of this Court in W.P.(C) No.6340 of 2018. It is further

submitted that an objection dated 15<sup>th</sup> August, 2019 was filed by the petitioner under Section 9 of the Act, 1914 in Certificate Case No.25/B/2015-16, however, no order on the same was passed by the respondent no.3 under Section 10 of the Act, 1914.

**4.** Mr. Deepak Dubey, learned A.C. to A.A.G.-II 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 30<sup>th</sup> January, 2019 passed in W.P.(C) No.6340 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 30<sup>th</sup> January, 2019 passed in W.P.(C) No.6340 of 2018.

**6.** Accordingly, the orders dated 22<sup>nd</sup> July, 2017 and 21<sup>st</sup> December, 2017 as well as the other consequential orders (if any) of such nature passed by the respondent no.3 in Certificate Case No.25/B/2015-16 are hereby quashed. The matter is remanded to the respondent no.3 for passing fresh order considering the objection preferred by the petitioner under Section 9 of the Act, 1914 within a period of six weeks from the date of receipt/production of a copy of this order.

**7.** I.A. No.4501 of 2019 is also disposed of accordingly.

**(Rajesh Shankar, J.)**

*Rohit*