

IN THE HIGH COURT OF JHARKHAND AT RANCHI  
**W.P.(C) No.3209 of 2026**

-----

Prem Sharma, son of Rameshwar Sharma, resident of 227, new bus stand Jhumri Telaiya, ward no.24, P.O. Jhumri Telaiya, P.S. Telaiya, P.S. Telaiya, District Koderma. **... .. Petitioner**

Versus

1. The State of Jharkhand, through its Chief Secretary, Project Bhawan, P.O. & P.S. Dhurwa, District Ranchi.
2. Executive Magistrate-cum-District Certificate Officer, Koderma, P.O. & P.S. Koderma, District Koderma.
3. Executive Officer, Jhumritelaiya, Nagar Parishad, P.O. Jhumritelaiya, P.S. Telaiya, District Koderma.

**... .. Respondents**

-----

**CORAM : SRI ANANDA SEN, J.**

-----

For the Petitioner(s) : Mr. Ashim Kr. Sahani, Advocate

For the Respondent(s): Mrs. Sunita Kumari, AC to Sr. SC-II  
Mr. Bharat Kumar, Advocate

-----

**03/ 06.05.2026**

By filing this writ petition, the petitioner has prayed for the following reliefs:-

*"for grant of an appropriate writ in the nature of Certiorari or an order or direction for quashing an order dated 23.03.2022 (Annexure-8) passed by the Respondent no.2 directing issuance of warrant of arrest followed by the order dated 29.01.2025 issuing such bailable warrant against the Petitioner in Certificate Case no.315 of 2017-18;"*

2. Heard learned counsel representing the petitioner and learned counsel representing the respondents.
3. It is the grievance of the petitioner that without deciding the objection, coercive steps have been taken against the petitioner.
4. On the last date, this Court had directed the State's counsel to inform as to whether the objection is pending or has been

decided.

**5.** Today, learned counsel representing the State on instruction from the officer concerned, has very fairly stated that the objection is still pending.

**6.** Considering the aforesaid submission, I direct the respondent Authorities to decide the objection under Section 9 of "the Bihar and Orissa Public Demand Recovery Act", and thereafter proceed accordingly as per law.

**6.1.** It is expected that the petitioner will be heard before deciding the objection. The date of hearing should be intimated to the petitioner well in advance.

**6.2.** If the petitioner does not appear and argue the case on that date, it will be open to the Authority to proceed ex-parte against the petitioner.

**6.3.** It is expected that the Certificate Officer will pass a reasoned order after hearing the petitioner.

**6.4.** Till then, the impugned orders dated 23.03.2022 and 29.01.2025, by which the respondents had taken coercive action against the petitioner, are kept in abeyance.

**7.** With the aforesaid observation and direction, this writ petition stands **disposed of**.

**(ANANDA SEN, J.)**

06<sup>th</sup> May, 2026  
Prashant. Cp-2

Uploaded on 12.05.2026