

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.20380 of 2011**

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M/S Uma Stone Works Through Its Prop. Nageshwar Singh Son Of Late  
Tapeshwar Singh Resident Of Village Munji, P.O. Munji, P.S. Karakat  
(Gorari), District Rohtas.

.... .... Petitioner/s

Versus

1. The State Of Bihar.
2. The Secretary, Department Of Mines & Geology, Govt. Of Bihar, Patna.
3. The Collector, Rohtas At Sasaram.
4. The Assistant Director, Mines And Geology, Sasaram.
5. The District Mines Officer, Rohtas At Sasaram.

.... .... Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Raghunanda Kumar Singh  
For the Respondent/s : Mr. Devendra Kumar Sinha, Sr. Counsel  
Mr. Rajendra Prasad

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**CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR**  
**ORAL ORDER**

2      03-08-2015                      At the very outset, Sri Devendra Kumar Sinha, learned senior counsel, who was assisted by Sri Rajendra Prasad, learned counsel for the respondent /Mines and Geology Department, raises a preliminary objection on the point of maintainability of the writ petition. He submits that against the order passed i.e. Annexure – “4” , there is statutory remedy of Revision under Section 12 of the Bihar Minerals (Prevention of Illegal Mining, Transportation and Storage ) Rules, 2003. After objection being raised, learned counsel for the petitioner makes a prayer for disposal of the writ petition, so that, petitioner may avail statutory remedy.

The writ petition stands disposed of with an indication

that if the petitioner approaches the authority concerned within a period of six weeks from today, the authority concerned may examine the same and pass appropriate order in accordance with law without raising any objection on the question of maintainability since immediately after the impugned order the petitioner had approached this court and the matter was pending before this court.

The writ petition stands disposed of.

**(Rakesh Kumar, J)**

Praful/-

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