

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 14444 of 2014

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1. Manoj Kumar S/o Late Rajballabh Singh
2. Sunil Kumar S/o Late Jagdambi Singh.
Both Resident of Village and P.O. Korki, P.S. Ariyari, District
Sheikhpura.

.... Petitioners

Versus

1. The State of Bihar.
2. The Principal Secretary, Mines and Geology, Bihar, Patna.
3. The District Magistrate, Sheikhpura.
4. The Director, Mines and Geology Bihar, Patna.
5. The Mines Development Officer, Sheikhpura.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Pankaj Kumar
For the Respondent/s : AC to Addl. Advocate General – 2
Mr. Rajendra Prasad

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

4. 24-09-2015 Heard Sri Pankaj Kumar, learned counsel for the
petitioners, learned A.C. to Addl. Advocate General – 2 as well as
Sri Rajendra Prasad, learned counsel for the respondent/Mines &
Geology Department.

Petitioners, in the present writ petition, have prayed
for quashing of an order dated 10-07-2014 passed by the
respondent no. 5/Mines Development Officer, Sheikhpura,
whereby mining license of petitioners has been cancelled.

At the very outset, learned counsel for the
respondent/Mines & Geology Deptt. has raised preliminary
objection on the point of maintainability of the writ petition. He

submits that despite, there is statutory provision of revision under the Bihar Minerals (Prevention of Illegal Mining, Transportation & Storage) Rules, 2003, petitioners have directly approached this Court.

After noticing the objection, learned counsel for petitioners makes a prayer for disposal of the writ petition so that petitioners may avail appropriate remedy.

The prayer is allowed.

The writ petition stands disposed of with liberty, as indicated above.

It goes without saying that the period consumed while pursuing the present writ petition i.e. from 22-08-2014 till date shall be excluded while considering the limitation matter.

(Rakesh Kumar, J.)

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