

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1978 of 2014

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Sadho Yadav S/O Late Chedi Yadav R/O Village- Balaha, P.O. Amba, P.S. Shahkund, District- Bhagalpur

.... Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Department of Mines and Geology, Government of Bihar, Patna
2. The Commissioner, Mines and Geology-cum-Divisional Commissioner, Bhagalpur
3. The District Collector, District- Bhagalpur
4. The Director, Department of Mines and Geology, Government of Bihar, Patna
5. The Mines Development Officer, Office of District Mining Department, Bhagalpur

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Sushil Kumar Singh
For the Respondent/s : Mr. AC to GA-7
Mr. Rajendra Prasad, Adv.

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

6 09-10-2015 Heard Sri Jitendra Kumar Roy, learned counsel, who was assisted by Sri Praveen Kumar, learned counsel for the petitioner, learned AC to GA-7 and Sri Rajendra Prasad, learned counsel for the Respondent/ Mines and Geology Department.

In the present petition, which has been filed under Article 226 of the Constitution of India, the petitioner has prayed for quashing of an order of the Licensing Authority without availing statutory remedy. Learned counsel for the petitioner submits that his security money has also not been refunded till date.

The Court is of the opinion that since the petitioner is having statutory remedy, he may avail statutory remedy.

The writ petition stands disposed of granting liberty to the petitioner to avail statutory remedy.

It goes without saying that the period consumed in pursuing the present matter i.e. from 23.01.2014 till date, may be excluded while considering the limitation matter. It is expected that if the petitioner avails appropriate remedy, the authority concerned may examine the same and pass appropriate order in accordance with law without unnecessary delay.

(Rakesh Kumar, J)

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