

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10385 of 2014

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Raj Kumar Son of Sri R.P. Singh resident of Mohalla - Dariyapur Gola,
Police Station - Kadam Kuan, Town and District - Patna

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary Department of Mines and Geology, Government of Bihar, Patna
2. The Mines Commissioner, Bihar, Patna
3. The Collector, Sheikhpura
4. The Mineral Development Officer, Sheikhpura

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Prem Kumar Verma
For the Respondent/s : AC to AAG No. 2
Sri Rajendra Prasad

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

5 09-09-2015 Heard Sri Prem Kumar Verma, learned counsel for the petitioner, learned AC to AAG No. 2 as well as Sri Rajendra Prasad, learned counsel, who has appeared on behalf of the Mines and Geology Department.

The petitioner, invoking extraordinary writ jurisdiction of this Court under Article 226 of the Constitution of India, in sum and substance, has prayed for quashing of an Advertisement published in the Daily Newspaper namely, Hindustan, dated 26.2.2014. By the said notice the debtors of the Department of Mines and Geology including the petitioner was noticed to clear the outstanding dues. In the petition it has been stated that earlier petitioner was granted mining lease for five years, however, before

expiry of five years the lease was terminated. According to lease agreement it was to expire after five years. Meaning thereby, that after the agreement was entered in between the parties from January 2008, the lease was to expire in the month of January 2013. Of –course, a statement has been made that lease was terminated prior to expiry of five years. In the prayer portion nothing has been indicated regarding quashing of termination of the lease of the petitioner. Only vague prayer has been made in the writ petition questioning the notice published in the Newspaper. The court is of the opinion that if any notice is issued in the newspaper, before rushing to the High Court it would be advisable for the petitioner to approach the Department first.

In view of the facts and circumstances, there is no ground to pass any positive order in favour of the petitioner.

The writ petition stands dismissed.

(Rakesh Kumar, J)

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