

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18079 of 2013

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Om Prakash aged about 41 years, Son Of Raghunath Prasad Resident Of
Mohalla - Mangala Gauri, Police Station - Civil Line, Gaya, District - Gaya

.... Petitioner/s

Versus

1. The State Of Bihar Through The Principal Secretary, Mines And Mineral
Department, Government Of Bihar, Patna
2. The Principal Secretary, Mines And Mineral Department, Government Of
Bihar, Patna
3. The Director, Mines And Mineral Department, Government Of Bihar,
Patna
4. The Collector, Gaya
5. The Assistant Director, Mines And Mineral Department, Having Office
At District Mining Office, Gaya
6. The Superintendent Of Police, Gaya
7. The Officer In Charge, Muffasil, P.S. Gaya
8. The District Mines Officer, Gaya

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Anand Kumar Ojha

For the Respondent/s :

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

5 23-09-2015 Heard Sri Anand Kumar Ojha, learned counsel for the

petitioner and Sri Rajendra Prasad, learned counsel, who has

appeared on behalf of the Respondent / Mines and Geology

Department.

The petitioner has approached this Court against an
order contained in Letter No. 1094 Dated 11.6.2013 issued by the
Assistant Director, Mines and Mineral Department, Gaya
whereby, mining lease earlier granted in favour of the petitioner
has been cancelled.

At the very outset, learned counsel for the Respondent raises a preliminary objection on the point of maintainability of the writ petition. He submits that against the order impugned there is statutory remedy available to the petitioner and petitioner by surpassing the same, has approached this Court.

The Court is of the opinion that if there is already statutory remedy available to the petitioner, the writ petition may not be entertained. The writ petition stands dismissed.

If so advised, the petitioner may avail statutory remedy.

(Rakesh Kumar, J)

Praful/-

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