

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17438 of 2014

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Nand Lal Singh, son of Hari Das Singh, resident of village Madurna, P.S. Chainpur, District Kaimur, Bihar

.... 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 Department of Mines and Geology, Government of Bihar, Patna
3. the District magistrate cum Collector, District Kaimur (Bhabhua)
4. the Assistant Mining Officer, District Kaimur (Bhabhua)
5. the Competent Officer cum Mines Inspector District Kaimur (Bhabhua)

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Prabhat Ranjan

For the Respondent/s : Mr. Devendra Kumar Sinha, Sr. Counsel

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 11-08-2015 Heard Sri Prabhat Ranjan, learned counsel for the petitioner and Sri Devendra Kumar Sinha, learned senior counsel, who was assisted by Sri Alok Kumar Rahi, learned counsel for the respondent /Mines and Geology Department.

In the present writ petition a limited prayer has been made by the petitioner for directing the District Magistrate- cum-Collector, District -Kaimur (Bhabhua) to dispose of the pending application of the petitioner in relation to grant of mining lease.

It has been submitted that the Mines Commissioner, Department of Mines & Geology, by its order, which was passed long back on 26.8.2011 (Annexure - "5" to the writ petition) had remitted back the matters to the licensing authority i.e. the

Collector to decide the application of the petitioner and other similarly situated persons in accordance with law. It has been argued that despite the fact that the order of the Mines Commissioner was passed long back, till date, no decision has been taken on the application of the petitioner.

In view of limited prayer made by the petitioner, the court is of the opinion that without recording any opinion on the merit of the case, the writ petition can be disposed of with an observation that the District Magistrate- cum- Collector , Kaimur (Bhabhua) may take appropriate decision on the application of the petitioner in view of the order dated 26.8.2011 (Annexure – “5” to the writ petition) passed by the Mines Commissioner, Department of Mines and Geology, preferably within a period of three months from the date of receipt /production of a copy of this order (if already not disposed of).

The writ petition stands disposed of.

(Rakesh Kumar, J)

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