

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 2602 of 2013

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Anil Singh Son of Shri Lachhan Singh R/o Village Dhaukarha, P.S.
Sasaram (M), District- Rohtas

.... Petitioner

Versus

1. The State of Bihar
2. The Principal Secretary, Department of Mines and Geology, Bihar Patna
3. The Principal Secretary, Department of Water Resources, Bihar, Patna
4. The Collector-Cum-District Magistrate, Rohtas at Sasaram
5. The Assistant Director, Mines & Geology, Rohtas at Sasaram

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar

For the Respondent/s : Mr. Rajendra Prasad

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

5. 17-08-2015 Heard Sri Sanjeev Kumar, learned counsel for the
petitioner and Sri Rajendra Prasad, learned counsel for the
respondent/Mines and Geology Deptt.

The petitioner has approached this Court against an
order dated 06-10-2012 passed in Misc. (Mining) Case No. 02 of
2012 by the District Magistrate, Rohtas at Sasaram.

At the very outset, Sri Rajendra Prasad, learned
counsel for the respondent submits that against the impugned
order, there is statutory remedy of revision before the
Commissioner. After objection being raised, the learned counsel
for the petitioner makes a prayer for disposal of the writ petition
so that the petitioner may avail statutory remedy.

The prayer is allowed.

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

It goes without saying that if the petitioner approaches the authority concerned under Section 45 of the Bihar Minor Minerals Concession Rules, 1972 within a period of six weeks from today, the revisional authority, without going into the question of limitation, may examine the same on its own merit and pass appropriate order in accordance with law, preferably within a period of four months from the date of filing of such application. This order has been passed in view of the fact that against the impugned order, the petitioner immediately approached this Court and the writ petition was pending here.

(Rakesh Kumar, J.)

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