

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.21384 of 2011

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SGR Construction through its proprietor Sunil Kumar Singh, son of Bijay Bahadur Singh, Company Sarai, Civil Line, Sasaram, District - Rohtas

.... Petitioner

Versus

1. The State of Bihar
2. The Principal Secretary, Mines and Geology, Bihar, Patna
3. The District Magistrate, Rohtas
4. The Assistant Director, Mines and Geology, Rohtas
5. The District Mining Officer, Rohtas (Sasaram)

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar Singh

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

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 03-08-2015 At the very outset, Sri Devendra Kumar Sinha, learned Senior Counsel, who appears on behalf of Respondent/ Mines and Geology Department raises preliminary objection on the point of maintainability of the writ petition. He submits that under the provisions of Rule 12 of the Mineral (Prevention of Illegal Mining, Transportation and Storage) Rules, 2003, there is remedy of revision.

On objection being raised, learned counsel for the petitioner makes a prayer for disposal of the present writ petition, so that the petitioner may avail statutory remedy.

The prayer is allowed.

The writ petition stands disposed of granting liberty to

the petitioner to approach the authority concerned.

It goes without saying that if the petitioner approaches the revisional authority within a period of six weeks from today, the revisional authority may examine and decide the same on its merit in accordance with law.

After the impugned order, the petitioner had immediately approached this Court by filing the present writ petition. The matter is pending before this Court. Accordingly, the revisional authority is required to examine the revision, if it is filed within six weeks from today, on its merit and decide the same in accordance with law.

(Rakesh Kumar, J)

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