

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 18412 of 2013

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1. M/S Bajrangi Stone Works, Proprietor Bajrangi Kumar Son Of Hari Nandan Prasad Resident Of Village and P.O. Virindavan, P.S. Ariyari, District - Sheikhpura
 2. M/S Pappu Chauhan, Proprietor Pappu Chauhan Son Of Late Baleshwar Chauhan, Mauza - Pathraita Village - Tara Par, P.S. Ariyari, District - Sheikhpura
 3. M/S Jitendra Kumar, Proprietor Jitendra Kumar Son Of Lalan Yadav Resident Of Mauza and Village - Pathraita, P.O. Karki, P.S. Ariyari, District - Sheikhpura
 4. M/S Harhar Mahadev Stone Works, Proprietor Mukesh Yadav Son Of Bhuneshwar Yadav Resident Of Mauza and Village - Pathraita, P.O. Karki, P.S. Ariyari, District - Sheikhpura
 5. M/S Vikash Stone Works, Proprietor Vikash Kumar Son Of Ramashray Yadav Resident Of Mauza and Village - Bihta, P.S. Hathiawan (O.P.), District - Sheikhpura
 6. M/S Sony Yadav, Proprietor Sony Yadav Son Of Madan Yadav Resident Of Mauza and Village - Namedarganj, P.S. and District - Sheikhpura
 7. M/S Manoj Kumar Stone Works, Proprietor Manoj Kumar Son Of Yugeshwar Yadav Resident Of Mauza - Surdaspuur, Village - Matokhar, P.S. and District Sheikhpura
 8. M/S Arvind Kumar, Proprietor Arvind Kumar Son Of Yogeshwar Prasad Resident Of Mauza - Wazidpur, Village - Matokhar, P.S. and District - Sheikhpura
 9. M/S Pappu Kumar, Proprietor Pappu Kumar Son Of Vimal Yadav Resident Of Mauza and Village - Pathraita, P.S. Ariyari, District - Sheikhpura
 10. M/S Satyam Stone Works, Proprietor Krishna Prasad Son Of Late Sita Ram Sao Resident Of Mauza - Mirpur, Village - Budhauri, P.S. and District - Sheikhpura

.... Petitioners

Versus

1. The State of Bihar through Principal Secretary, Department of Mines and Geology, Bihar, Patna
2. The Principal Secretary, Department Of Mines and Geology, Bihar, Patna
3. The Commissioner - Cum - Secretary, Department Of Forest, Bihar, Patna
4. The Mineral Development Officer, Department Of Mines and Geology, Sheikhpura (Bihar)
5. The District Magistrate, Sheikhpura (Bihar)
6. The Chairman, Bihar State Pollution Control Board, Beltron Bhawan, Shastri Nagar, Patna - 800 023
7. The Member Secretary, Bihar State Pollution Control Board, Beltron Bhawan, Shastri Nagar, Patna - 800 023
8. The Divisional Forest Officer, Sheikhpura (Bihar)

.... Respondents

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Appearance :

For the Petitioner/s : Sri Bindhyachal Singh
For the Respondent/s : AC to Addl. Advocate General – 13
Sri Rajendra Prasad

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

3. 24-08-2015 Heard Sri Bindhyachal Singh, learned counsel for petitioners, learned A.C. to Addl. Advocate General – 13 as well as Sri Rajendra Prasad, learned counsel, who has appeared on behalf of respondent/Mines & Geology Deptt.

In the present writ petition, petitioners, ten in number, have assailed the order of cancellation of their licence, which were issued under the provisions of Bihar Minerals (Prevention of Illegal Mining, Transportation and Storage) Rules, 2003.

At the very outset, learned counsel for Mines and Geology Deptt. raises objection on the point of maintainability of the writ petition. He submits that against the order of licensing authority, there is provision of revision. After objection being raised, learned counsel for petitioners makes a prayer for disposal of the writ petition so that petitioners may file separate revision applications before the competent authority.

In view of the facts and circumstances, the writ petition stands disposed of granting liberty to petitioners to file separate revision applications before the revisional authority. If within six weeks from today, such revision applications are filed,

the revisional authority, without raising point of limitation, may examine the same and pass appropriate order(s) in accordance with law.

This order has been passed in view of the fact that after the orders were passed by the licensing authority the petitioners immediately approached this Court and the writ petition was pending before this Court since September, 2013.

(Rakesh Kumar, J.)

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