

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16507 of 2013

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1. Jai Maa Lillori Stone Works Through Priprietor Dube Ram Son Of Sita
Ram At Amri Karvendia Sasaram, P.S. Sasaram, District- Rohtas

2. Jai Maa Shirawali Stone Chips Through Proprietor Satend Prasad Singh
At Amri Sasaram, P.S. Sasaram, District Rohtas

.... Petitioner/s

Versus

1. The State Of Bihar Through The Principal Secretary Mines And Reology
Government Of Bihar, Patna

2. The Asst. Director, Mines And Geology, Rohtas

3. The Principal Secretary, Forest Department, Government Of Bihar, Patna

4. The Divisional Forest Officer, Rohtas

5. The Forest Ranger, Darigaon, Rohtas

6. The District Magistrate, Rohtas

7. The Superintendent Of Police, Rohtas

8. The Deputy Superintendent Of Police, Sasaram, Rohtas

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Dr. Harendra Nath Ojha

For the Respondent/s : Mr. Avnish Nandan Sinha

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL
ORAL ORDER

8 05-09-2016 Heard Mr. Ojha for the petitioners and the Counsel for the
State.

The grievance raised through the application is that on 30.4.2013, on an oral order of the then District Magistrate, the crusher machine and articles stacked (stone chips) were seized by the State authorities on an allegation that a Stone Crusher Plant was running without any valid licence. The writ application prays for a direction upon the respondents to release the machine and the stone chips of the petitioners.

The State respondents were called upon to file counter

affidavit in reply. In the second supplementary counter affidavit affirmed by Pankaj K. Sharma, Dy. S.P. (P), Rohtas on behalf of respondent no. 7, it is stated that on going through the Station Diary entry, it is found that only two cases have been registered against Jai Maa Lillori Stone Works wherein no crusher machine was seized by the respondent. Sasaram (M) P.S. Case No. 489 of 2013 dated 16.5.2013 was registered against Jai Maa Lillori Stone Works for offering obstruction in due discharge of the official duty. Another case being Sasaram (M) P.S. Case No. 501 of 2013 has also been registered against the petitioner no. 1 but for obstructing the official discharge of duty against the petitioner no. 1.

On going through the averments made in the application, in my view, the application appears to be misplaced and/or has become infructuous.

Counsel for the petitioners, having appreciated the stand taken in the counter affidavit, states that he would seek withdrawal of the application.

The writ application is permitted to be withdrawn.

(Kishore Kumar Mandal, J)

Pankaj/-

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