

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9659 of 2012

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Md.Shamshad, S/O Md. Sarfaraz, Resident of Mohalla- Dilawarpur, P.O- Munger,
P.S- Kotwali, District- Munger, Presently Residing at Village- Bakarpur, P.S-
Munger Muffasil, P.O- Dariyapur, District- Munger.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Principal Secretary, Mines and Minerals Department, Government of Bihar, Patna.
3. The District Collector, Munger.
4. The Mines Development Officer, District Mines Officer, Munger.
5. The Assistant Mines Officer, District Mines Officer, Munger.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ajit Kumar Singh, Adv.

For the Respondent/s : Mr. Rajendra Prasad, Spl. PP (Mines)

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

3 15-09-2017

Learned counsel for the parties are present.

Mr. Ajit Kumar Singh, learned counsel appearing for the petitioner submits that the order bearing Memo No.185 dated 7.4.2012 of the District Magistrate, Munger in so far as it orders for cancellation of the mining lease is concerned, has been rendered infructuous by passage of time because the lease period was only until 2013. He further proceeds to submit that the predicament of the petitioner is that since the order also directs the District Mining Development Officer, Munger to calculate the excess mining of stones done by the petitioner for assessing the additional royalty, although no such exercise has yet been carried out but in the event any such demand is raised, the petitioner may be given liberty to question the same before an appropriate forum.

Permission is allowed.

The writ petition is disposed of accordingly.

(Jyoti Saran, J)

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