

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13198 of 2017

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1. M/s. Aditya Multicom Private Limited, Company incorporated under the provisions of the Companies Act, 1956 having its registered Office at 12, Waterloo Street, 2nd Floor, Kolkata- 700069, through its Authorized Signatory Kamlesh Gaurav Son of Shri Surendra Singh Resident of D/139, Keshari Nagar, P.O. Rajeev Nagar, P.S. Rajeev Nagar, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar , through the Principal Secretary, Department of Mines & Geology, Government of Bihar, Patna.
2. The Principal Secretary, Department of Mines & Geology, Bihar, Patna.
3. The State Level Environment of Impact Assessment Authority, Bihar, Patna through its Chairman.
4. The District Magistrate, Rohtas at Sasaram.
5. The District Magistrate, Aurangabad.
6. The Senior Deputy Collector-cum-Mineral Development Officer, Aurangabad.
7. The Assistant Director, Mines & Geology Department Rohtas, Sasaram.

.... Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Jitendra Singh, Sr. Adv. Mr. Suraj Samdarshi, Adv.
For the Respondent/s	:	Mr. Lalit Kishor – AG

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL JUDGMENT
Date: 21-09-2017

Heard Mr. Jitendra Singh, learned Senior counsel for the petitioner and learned Advocate General.

The writ petition was filed questioning the show cause notice bearing memo No. 1721 dated 28.8.2017 issued by the District Magistrate, Rohtas, Sasaram impugned at Annexure-11 to the writ petition. When the matter was taken up Mr. Jitendra Singh learned Senior counsel appearing for the petitioner along with Mr. Suraj Samdarshi Advocate on record after some arguments chose not to press the writ petition for the present while seeking leave for appearance before the District Magistrate, Rohtas in response to the



show cause notice with the prayer that the present application may not act prejudice to the decision making process.

Mr. Lalit Kishore, learned Advocate General on gathering instructions from the District Magistrate informs that although the next date fixed in the proceeding is on 26.9.2017 but the District Magistrate would accommodate the petitioner for a suitable date, for which prayer may be made on the date fixed.

Leave is granted to the petitioner to file his appearance on the date fixed and pray for any suitable date and which would accordingly be considered by the District Magistrate, Rohtas, Sasaram when the matter is taken up on 26.9.2017.

In the circumstances discussed, no order needs to be passed at the present stage save and except that let the District Magistrate, Rohtas take the proceedings to its conclusion with an independent mind, in accordance with law and after due opportunity of hearing to the petitioner without being prejudiced by the present disposal because this Court has not expressed any opinion on the merits of the rival contentions.

The writ petition is disposed of with the directions above.

Bibhash/-

(Jyoti Saran, J)

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	24.09.2017
Transmission Date	NA

