

IN THE HIGH COURT OF JUDICATURE AT PATNA

**Letters Patent Appeal No.591 of 2016
Arising out of
Civil Writ Jurisdiction Case No. 18079 of 2013**

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Om Prakash aged about 44 years Son of Raghunath Prasad Resident of Mohalla - Mangala Gauri, Police Station - Civil Line Gaya, District - Gaya.

.... Appellant/s

Versus

1. The State of Bihar through the Principal Secretary, Mines and Mineral Department, Government of Bihar, Patna.
2. The Principal Secretary, Mines and Mineral Department, Government of Bihar, Patna.
3. The Director, Mines and Mineral Department, Government of Bihar, Patna.
4. The Collector, Gaya.
5. The Assistant Director, Mines and Mineral Department, Having Office at District Mining Office, Gaya.
6. The Superintendent of Police, Gaya.
7. The Officer in Charge, Muffasil, P.S. - Gaya.
8. The District Mines Officer, Gaya.

.... Respondent/s

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Appearance :

For the Appellant/s :

For the Respondent/s :

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 04-07-2017

Delay of 128 days in filing of the appeal is condoned.

I.A. No. 2645 of 2016 stands allowed and disposed of.

Considering the fact that against the order impugned passed by the Mines Department, statutory remedy of appeal under the statutory provision was available to the appellant and on such consideration the Writ Court has refused to interfere into the matter,



we see no ground to make any indulgence.

Granting liberty to the appellant to take recourse to the statutory remedy, we dispose of the Letters Patent Appeal.

(Rajendra Menon, CJ)

(Anil Kumar Upadhyay, J)

P.K.P.

AFR/NAFR	N.A.F.R.
CAV DATE	N.A.
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