

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.6210 of 2012

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Diwakar Chandra Dubey S/O Late Umesh Chandra Dubey R/O Village- Phulwaria,
Post Office- Bajjani, Police Station- Jagdishpur, District- Bhagalpur

.... Petitioner/s

Versus

1. The State Of Bihar Through The Principal Secretary Department Of Mines & Geology, Bihar, Patna
2. The Mines Commissioner, Bihar, Patna
3. The Collector, Banka
4. The Mining Inspector-Cum-Competent Officer, Banka

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. P.K. Sahi, Sr. Advocate

For the Mines Dept. : Mr. Naresh Dixit, Advocate
Mr. Brij Bihari Tiwary, Advocate

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD

ORAL JUDGMENT

Date: 20-08-2018

After making some arguments on the point of compensation for the period of 96 days during which period the petitioner has been deprived from mining activities in between 08.05.2010 to 11.08.2010, realizing his difficulty in the writ jurisdiction, it is submitted by learned senior counsel for the petitioner that he would make the claim before the Mines Commissioner for compensation for the closure period i.e. 96 days. Since admittedly during the said period he has been deprived of his mining activities as per the observations made in the order dated 29.07.2010 passed in C.W.J.C. No. 8767 of 2010.



Without expressing any opinion on the claim of the petitioner, writ petition is disposed off with liberty as aforesaid. If an application is submitted before the respondent no. 2 within three weeks from today the respondent no. 2 will consider the claim and pass a reasoned and speaking order within a period of eight weeks thereafter.

(Madhuresh Prasad, J)

Prakash/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

