

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.17018 of 2013

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Akhilshwar Prasad Singh S/O Sri Parsuram Singh Resident Of Village+ P.O-
Karma, P.S- Karakat, District- Rohtas.

.... Petitioner/s

Versus

1. The State Of Bihar.
2. The Principal Secretary, Mines Cum Mines Commissioner, Government Of Bihar, Patna.
3. The District Magistrate, Rohtas.
4. The Assistant Director, Mines And Geology, Rohtas, Sasaram.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Rakesh Narayan Singh, Advocate
For the Mines : Mr. Naresh Dixit, Advocate

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD

ORAL JUDGMENT

Date: 13-08-2018

In so far as the petitioner's claim for refund of security amount of Rs. 7,64,000/- is concerned it is very fairly submitted by Spl. PP for Mines Department that since there is no order of withholding the said security amount, the same shall be returned by the respondent no. 2 within a period of two weeks from the date of receipt/production of a copy of this order that takes care of petitioner's claim made in Interlocutory Application No. 667 of 2016.

In so far as challenge to the order passed on petitioner's revision bearing Revision Case no. 13 of 2013 on 24.05.2013 is concerned, on going through the order passed by the Collector dated 19.09.2011 this Court would observe that the petitioner had restricted



his mining activity on 1.02 acres out of 1.80 acres of land leased to him which has been informed by the Collector not to be a sufficient ground to arrive at a findings that possession of land in question has not made available to the petitioner. It is pointed out with reference to annexure 14 that on 18.01.2010 a joint measurement was undertaken with respect to 1.80 acres of land which was handed over to the petitioner wherein the petitioner has also put a signature.

This Court finds no merit in the instant writ application.

The writ petitioner is dismissed.

(Madhuresh Prasad, J)

Prakash/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

