

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.18727 of 2015

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Kishore Yadav @ Kishore Kumar Yadav Son of Late Bhoomi Yadav Resident of
Bari Mahuli, post - Basudeopur, District - Munger (Lessee).

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Mines and Geology Department, Government of Bihar, Patna.
2. The Principal Secretary, Mines and Geology Department, Government of Bihar, Patna.
3. The District Magistrate-cum-Collector, Munger.
4. The Superintendent of Police, Munger.
5. The Sub-Divisional Officer, Munger.
6. The District Mining Officer, Munger.
7. The Sub-Divisional Police Officer, Jamalpur, Munger.
8. The Circle Officer, Munger.
9. The Officer-in-Charge (SHO) Muffasil, P.S. District - Munger.
10. The Mines Commissioner, Mines and Geology Department, Government of Bihar, Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Shambhu Sharan Singh, Advocate
For the Mines : Mr. Naresh Dixit, Advocate
For the State : Mr. Shashi Shekhar Kr. Prasad, AC to PAAG 2

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD

ORAL JUDGMENT

Date: 30-08-2018

Let the Mines Commissioner, Department of Mines &
Geology, Government of Bihar be impleaded as respondent number
10.

The disputed issue of fact on oath by both parties is,
regarding the restoration application being received or not received in
the office of the Mines Commissioner. This Court is of the opinion
that interest of justice would be served if the petitioner is permitted to



make restoration application afresh before the Mines Commissioner within a period of three weeks from today, failing which the authority would not be obliged to consider the petitioner’s application for restoration of Revision Case no. 34 of 2012.

Upon filing of such restoration application the case of the petitioner would be considered in accordance with law.

The writ petition is dismissed.

(Madhuresh Prasad, J)

Prakash/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

