

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.2886 of 2018

IN

Civil Writ Jurisdiction Case No. 3556 of 2017

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Md. Sawood Alam, son of Md. Moti @ Motiur Rahman @ Md. Moti Alam, r/o.
Moh. Salimpur Sutur Khana, P.S. Munger(M), District Munger, Proprietor of
M/s. R.S. Enterprises.

.... .. Petitioner/s

Versus

1. The State of Bihar through the District Magistrate, Sheikhpura.
2. The Union of India through Chief Controller of Explosive Petroleum and Explosives Safety Organization, A.Block, 5th Floor, E.G.O. Complex, Seminary Hills, Nagpur (Maharashtra)
3. The Joint Chief Controller of Explosives, East Circle, Calcutta, W.B.
4. The Joint Chief Collector of Explosives, Govt. of India, Ministry of Commerce and Industry, Petroleum and Explosives Safety Organisation, Hazariabgh, Jharkhand.
5. The Divisional Commissioner, Munger.
6. The Sub-Divisional Officer, Sheikhpura
7. The Superintendent of Police, Sheikhpura.

.... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Vindhyachal Singh, Adv
Mr. Sanjay Sinha, Adv

For the Respondent/s : None

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 10-10-2018

The present petition has been filed for modification of the order dated 12.07.2018 passed in CWJC No. 3556 of 2017 to the extent of inclusion of the quashing of the order contained in letter dated 03.03.2016 (Annexure-9) issued by the Chief Controller of Explosives, Nagpur.

2. Learned counsel for the petitioner submits that the order of the District Magistrate, Sheikhpura dated 02.02.2016 recommending for cancellation of the Explosives licence of the petitioner having been quashed and the matter remanded to him for passing fresh orders, the



consequential order dated 03.03.2016 passed by the Chief Controller of Explosives, Nagpur cancelling the petitioner’s Explosives Licence was a matter of consequential relief which was missed to be incorporated in the judgment dated 12.07.2018.

3. None appears on behalf of the respondents when the matter is called.

4. Having regard to the submission of learned counsel for the petitioner, this Court is satisfied that the consequential relief as specifically prayed for in para 1(iii) of the writ petition was missed to be incorporated.

5. The judgment dated 12.07.2018 accordingly stands modified only to the extent that the following sentence shall be added at the end of para 5 of the judgment dated 12.07.2018 —

“The consequential order dated 03.03.2016 passed by the Chief Controller of Explosives, Nagpur (Annexure-9) also stands quashed.”

6. MJC No. 2886 of 2018 stands disposed of.

(Vikash Jain, J)

Chandran

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	12.10.2018
Transmission Date	NA

