

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.212 of 2019

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Satish Kumar, Son of Late Sahdeo Singh, Resident of Village-Daidy, P.S.
Ghosi, Distt.-Jehanabad Petitioner/s

Versus

1. The State Of Bihar through the Secretary, Department of Mines and Geology, Government of Bihar, Patna
 2. The Joint Secretary Department of Mines and geology Bihar, Patna
 3. The District Magistrate, Jehanabad
 4. The Assistant Director, Department of Mines and Geology Gaya
- Respondent/s
- =====

Appearance :

For the Petitioner/s : Mr. Shivendra Prasad, Advocate
For the Respondent/s : Mr. Gyan Prakash Ojha GA-7

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 11-12-2019 Heard learned counsel appearing on behalf of the

petitioner and learned counsel appearing on behalf of the State.

The petitioner has filed the present writ petition for quashing the order dated 30th August, 2011 passed by the Collector cum District Magistrate, Jehanabad whereby the licence of the petitioner to run Crusher Machine bearing Licence No. 3/03 has been cancelled.

Learned counsel for the petitioner submits that the petitioner has already deposited the outstanding amount on 29.3.2017 and thereafter he submitted application to the Collector, Jehanabad to revive his licence but till date no order has been passed.

Learned counsel appearing on behalf of the State submits that the petitioner has approached this Court belatedly and deposited the amount after the grace period of six months and under that circumstance, the petitioner does not deserve any



relief.

Learned counsel for the petitioner has placed reliance on the decision of this Court in CWJC No. 5436 of 2012 vide order dated 3.7.2012 which was upheld in LPA No. 1503/2018 vide order 21.08.2015.

From perusal of the order of the writ court, this Court is of the view that it does not help the petitioner. However, if the petitioner has set up the crusher machine and ready to complete all the formalities as per the licence, the respondent District Magistrate may consider the case of the petitioner sympathetically by fixing reasonable terms for granting licence/ renewing licence of the petitioner for the remaining period for which the licence was granted i.e. for a period of 20 years. Necessary decision in this regard must be taken by the District Magistrate, Jehanabad within a period of sixty days from the date of receipt/production of a copy of this order.

With the aforesaid, the writ petition stands disposed of.

(Anil Kumar Upadhyay, J)

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