

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8411 of 2019

=====

Abhishek Kumar Singh Son of Shri Daya Shankar Singh Resident of Village-
P.O.-Saroja, P.S.-Bakhtiyarpur, District-Saharsa.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Mines and Geology, Bihar, Patna
2. The Principal Secretary, Department of Mines and Geology, Bihar, Patna
3. The Under Secretary, Department of Mines and Geology, Bihar, Patna
4. The District Magistrate, Banka.
5. The Mines Development Officer, Department of Mines and Geology, Banka.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s	:	Mr. Naresh Chandra Verma
For the Mines	:	Mr. Naresh Dikshit, Spl. PP
		Mr. Sumit Shekhar Pandey, AC to Spl. PP
For the Respondent/s	:	Mr. Gyan Prakash Ojha (Ga7)
		Mr. Uday Shankar Pandey, AC to GA-7

=====

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL JUDGMENT

Date : 19-04-2019

Heard learned counsel for the petitioner, learned Spl. P.P.

for the Mines Department and learned counsel for the State.

Petitioner has filed instant writ application for issuance of appropriate writ for quashing the order dated 12.9.2018 issued vide Memo No. 3649 under the Signature of respondent no.3 as contained in Annexure-5 by which the settlement of Balughat through Reverse auction has been cancelled.

Learned counsel for petitioner has challenged the order as contained in Annexure-5 by which the settlement of Balughat through Reverse auction in favour of the petitioner has been



cancelled.

Learned counsel for the State has submitted that similar matter has been decided by this Court in C.W.J.C. No. 20099 of 2018 along with C.W.J.C. No. 19967 of 2018. This Court, by judgment dated 10.4.2019 passed in those writ petitions, has refused to interfere with the impugned order.

Learned counsel for the respondents has submitted that Department has undertaken steps to refund the Bank guarantee and earnest money to the petitioners in order to ensure that no prejudice and/or financial loss is suffered by any of the parties involved.

In view of the earlier order passed by this Court in C.W.J.C. No. 20099 of 2018 and C.W.J.C. No. 19967 of 2018, this Court is not inclined to interfere with the impugned order dated 12.9.2018 issued vide Memo No. 3649 under the signature of respondent no.3 as contained in Annexure-5.

This writ petition is, accordingly, dismissed.

(Sanjay Priya, J)

shyambihari/-

AFR/NAFR	
CAV DATE	
Uploading Date	25.4.2019
Transmission Date	

