

IN THE HIGH COURT OF JUDICATURE AT PATNA

CIVIL REVIEW No.175 of 2019

Arising out of

Letters Patent Appeal No.1937 of 2015

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Dhananjay Singh S/o Ram Bhaju Singh Resident of village and P.S.-
Nasriganj, District- Rohtas (Sasaram).

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Mines Commissioner Government of Bihar, Patna.
3. The Deputy Secretary, Mines and Mineral Department, Bihar, Patna
4. The Deputy Director, Mines, Magadh Circle Gaya, District- Gaya.
5. The District Magistrate-cum-Collector, Aurangabad, District- Aurangabad.
6. The Assistant Mines Officer, Aurangabad, District- Aurangabad.
7. The Certificate Officer Mining, Magadh Circle Gaya, District- Gaya.
8. The Assistant Director-cum-Adhiyachana Padadhikari, Aurangabad, District-
Aurangabad.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Purshotam Kumar Jha, Advocate

For the State : Mr. Gyan Prakash Ojha, GA 7 with
Mr. Gopal Krishna, AC to GA 7

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**CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
and**

HONOURABLE MR. JUSTICE MADHURESH PRASAD

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH)

Date : 28-08-2019

Heard learned counsel for the petitioner and learned AC
to GA 7 for the State.

2. The petitioner has moved the Court seeking review of
the judgment dated 07.04.2016 passed in LPA No. 1937 of 2015



which, in turn, arose out of the judgment dated 13.01.2015 passed in CWJC No. 3029 of 2014.

3. Learned counsel for the petitioner submitted that on the basis of the admitted position, the work order for mining was issued on 23.02.2007 and on 3rd December, 2007 the same was cancelled, though the period for which it was issued from 01.01.2007 to 31.12.2007. He submitted that in view thereof, in the proportion of the days for which he was not allowed to do the mining work in terms of the order of the authorities themselves, he is entitled to refund of the security deposit to the authorities.

4. Having heard learned counsel for the petitioner and learned counsel for the State, we do not find that there is any ground to review the judgment dated 07.04.2016 passed in LPA No. 1937 of 2015. The writ petition on which the Letters Patent Appeal came to be instituted did not seek any relief with regard to such issue raised by the petitioner today before the Court. Moreover, as has been pointed out by learned counsel for the petitioner himself, there is already an order passed on 10.05.2011 in CWJC No. 16165 of 2009 which addresses the issue raised before the Court today.

5. In view thereof, the application stands disposed off with the observation that it shall be open to the petitioner to pursue



his remedy available to him, in accordance with law, before the appropriate forum, for such grievance.

(Ahsanuddin Amanullah, J)

(Madhuresh Prasad, J)

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