

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11405 of 2019

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Deepak Kumar, S/o Sanjay Singh, resident of Village- Tengraila, P.S.-
Naubatpur, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Forest and Environment Department, Bihar, Patna.
2. The Principal Secretary, Forest and Environment Department, Bihar, Patna.
3. The Principal Secretary, Mining Department, Govt. of Bihar, Patna.
4. The Director General of Police, Patna.
5. The District Magistrate, Patna.
6. The Senior Superintendent of Police, Patna.
7. The Deputy Superintendent of Police, Paliganj, Patna.
8. The Sub Divisional Officer, Paliganj, Patna.
9. The Circle Officer, Paliganj, Patna.
10. The Station House Officer, Paliganj Police Station, Patna.
11. The District Mining Officer, Patna.
12. The Chairman State Environment , Impact Assessment Authority (SEIAA), Bihar.
13. The Managing Director, M/S Broadson Commodities Private Limited, Ground Floor, Kolkata, West Bengal.
14. The Regional Manager, M/s Broadson Commodities Pvt. Ltd., Dr. Himanshu Complex, Koilwar, Bhojpur.
15. The Union of India through the Secretary, Ministry of Environment, Forest and Climate Change, New Delhi.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Shambhu Sharan Singh, Adv.
For the Respondent/s : Mr. Gyan Prakash Ojha, GA7

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
and
HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE JYOTI SARAN)

2 17-07-2019 Heard Mr. Shambhu Sharan Singh, learned counsel

for the petitioner, Mr. Naresh Dikshit, learned counsel appearing

for the Mining Department, Mr. Kumar Ravish for the



Chairman, State Environment Impact Assessment Authority,
learned counsel for the State and learned counsel for the Union
of India.

Though the cause is well taken but the allegations
are vague and the forum would be otherwise because an issue of
illegal mining or of violation of settlement norms is to be
addressed either in the Mining Department or before the
respondent No.12.

The remedy is available to the petitioner under the
statute and without exhausting the same the petitioner moved
before this Court by way of public interest litigation.

We thus allow the petitioner to espouse his
grievance before the appropriate forum under the Act and/or
before the respondent No.12 who would obviously consider and
dispose of the same in accordance with law but in the nature of
issue and the remedy available, we are not persuaded to express
any opinion and the writ petition is disposed of accordingly.

(Jyoti Saran, J)

(Partha Sarthy, J)

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