

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14102 of 2015

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Manish Kumar, Son of Sri Sunil Kumar, resident of Village- Jamalpur, Police Station- Barbigha, District- Sheikhpura.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary-cum-Commissioner, Department of Mines and Geology, Bihar, Patna.
2. The Additional Secretary, Department of Mines and Geology, Government of Bihar, Patna.
3. The Collector, Sheikhpura.
4. The Deputy Director of Mines, Munger Anchal, Munger.
5. Incharge Deputy Director, Mines, Magadh Anchal, Gaya.
6. Assistant Director of Mines, Nawada, District Mining Office, Nawada.

... .. Respondent/s

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Appearance :

For the Petitioner/s : None.
For the Mines : Mr. Naresh Dikshit, Spl. P.P. Mines.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL JUDGMENT

Date : 07-01-2019

None has appeared on behalf of the petitioner.

Heard Mr. Naresh Dixit, Special P.P. Mines.

The petitioner has challenged the demand notice as contained in Annexure-1 to the writ petition by which the Assistant Director (Mines) has raised demand against the petitioner with regard to the dues amount as mentioned in detail in the aforesaid demand notice.

Learned Special P.P. (Mines) has submitted that petitioner has not appeared before the authority concerned to explain the aforesaid demand. He has come straight to this Hon'ble Court for setting aside the aforesaid demand notice. He



submits that till date no order has been passed in the matter by the authority concerned. Therefore, at this stage, this writ application is not maintainable.

This Court finds that demand notice (Annexure-1) has been issued by the authority concerned against the petitioner mentioning the amount in details for various dates. These are question of facts which can be determined by the competent authority after filing show cause by the petitioner.

Therefore, this writ application at this stage is disposed off with direction to the petitioner to appear before the authority concerned and file show cause with respect to the demand notice as contained in Annexure-1 within a period of one month from the date of passing of this order and after filing show cause by the petitioner, the authority concerned will pass final order within a period of three months from the date of filing show cause on behalf of the petitioner.

(Sanjay Priya, J)

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AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	11/01/2019
Transmission Date	

