

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15333 of 2019

1. Narendra Kumar Singh, son of Jugeshwar Singh, resident of 16, Raghapur-Bakhtiyarpur, P.O.- Bakhtiyarpur, P.S.- Bakhtiyarpur, District- Patna.
2. Yogendra Singh son of Ram Charitra Singh resident of Ram Nagar Diara, P.O.- Ram Nagar Diara, P.S.- Athmalgola, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Mines and Geology Development Department, Government of Bihar, Patna.
2. The Principal Secretary, Mines and Geology Development Department, Government of Bihar, Patna.
3. The Mineral Development Officer, Bhagalpur, P.O.- Bhagalpur, District- Bhagalpur.
4. The State of Jharkhand through the Chief Secretary, Government of Jharkhand, Ranchi.
5. The General Manager, Eastern Railway, Fairly Place 17, Netaji Subhash Road, Kolkatta.
6. The Principal Chief Commercial Manager, Fairly Place 17, Netaji Subhash Road, Kolkatta.
7. The Senior Deputy General Manager, Vigilance, Eastern Railway, Fairly Place 17, Netaji Subhash Road, Kolkatta.
8. The Divisional Railway Manager, Maldah Division, Eastern Railway, Maldah (W.B.).
9. The Station Superintendent, Pirpainti, Railway Station, P.O.- Pirpainti, District- Bhagalpur.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Ratna Deep Prasad, Advocate Mr. Arvind Kumar Tiwari, Advocate
For the Respondent/s	:	Mr.Gyan Prakash Ojha (GA-7) Mr. Arup Kr. Chongdal, Advocate Md. Nazir Ansari, Advocate Mr. Ramadhar Shekhar, ASC (Railway)

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
and
HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE SHIVAJI PANDEY)

2 23-08-2019 Heard learned counsel for the petitioners, learned



counsel for the State, learned counsel for the State of Jharkhand and learned counsel for the Railway.

In this case, the petitioners are complaining that some blue eyed contractors are placed in better position in lifting the stone chips for transposition. At the same time, it has been alleged without paying the royalty and other taxes, they are transporting the stone chips and thereby causing the huge financial loss to the State of Bihar as well as the Union of India.

The stone quarry is situated in the State of Jharkhand and for lifting the stone chips proper challan has to be issued by the State of Jharkhand, those stone chips are only loaded in the railway wagon at railway head at Pirpainti. It is nothing but transportation of the stone chips lifted from mines transported to its destination, it has further been said that the licence on the basis of which they have lifted the stone chip is not verified by the authority concerned, but this fact has been pleaded by way of only a statement in the petition without any supporting material and that too they have shown in affidavit portion is based on personal knowledge. It does not stand to reason as to how they could know the entire procedure and illegality committed by the authorities concerned when they are residents of Patna district. The transaction has taken effect in the State of



Jharkhand as well as in the district of Bhagalpur. No material has been brought indicating any connection with the lifting of stone chips carried from the location situated in the State of Jharkhand. This petition is without substance and we do not find any material to take cognizance and proceed with the matter further.

Accordingly, this petition is dismissed.

(Shivaji Pandey, J)

(Partha Sarthy, J)

V.K.Pandey/-

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