

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.866 of 2018

In

Civil Writ Jurisdiction Case No.1722 of 2015

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Satyendra Narayan Singh, Son of Sri Shravan Kumar Singh, Resident of
Village + Post - Darauli, P.S. - Darauli, District – Siwan.

... .. Appellant/s

Versus

1. The State of Bihar through the District Magistrate, Siwan.
2. The District Magistrate, Siwan.
3. The Mines Commissioner-cum- Principal Secretary, Department of Mines and Geology, State of Bihar, Patna.
4. The Director, Department of Mines and Geology, State of Bihar.
5. The District Mines Officer, Siwan.
6. The Competent Officer-cum-Mines Inspector, Siwan.
7. The Certificate Officer, Siwan.
8. Mr. Arjun Prasad, the then Mines Inspector, District Mines Office, Siwan, presently posted as Mines Inspector, District Mines Office, Chapra.
9. Mr. Dilip Kumar, Clerk, District Mines Office, Siwan.

... .. Respondent/s

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Appearance :

For the Appellant/s	:	Mr. S.S. Dwivedi, Sr. Advocate Mr. Parth Gaurav, Advocate
For the Respondent/s	:	Mr. Gyan Prakash Ojha, GA-7
For Mines Department	:	Mr. Naresh Dikshit, Spl. PP Mines Ms. Kalpana, Advocate

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

4 12-12-2019 The present appeal is directed against the order dated

05.09.2016 passed in C.W.J.C. No. 1722 of 2015 (Satendra
Narayan Singh Vs. The State of Bihar & Ors.) by which writ
petition has been dismissed.

After matter was heard for some time, Mr. S.S.
Dwivedi, learned senior counsel confined his scope of the
present appeal with regard to the adjustment of Rs.1,83,600/- so



submitted by him at the time of submission of his bid on 14.08.2012. The payment, according to the learned senior counsel, was made by way of Bank draft.

It is seen that the department had initiated a certificate case, as also issued the notice of recovery of Rs.12,58,053/-. This was the recovery, which pertains to the year 2012-13.

Mr. Gyan Prakash Ojha, learned counsel for the State, contends that the Department shall verify and if the amount of Rs. 1,83,600/- was in fact deposited by the writ petitioner by way of Bank draft and not adjusted earlier, the same shall be so done as against the total demand raised in the notice dated 15.07.2014 and the component of interest, if any, reduced or changed proportionately.

The aforesaid submission is accepted and taken on record.

The impugned order is modified to the aforesaid extent.

The appeal stands disposed of.

(Sanjay Karol, CJ)

(Anil Kumar Upadhyay, J)

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