

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7939 of 2020

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Raushan Kumar, Son of Manoj Singh, Resident of Imadpur, P.S.- Imadpur,
District- Bhojpur.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar.
2. The Mines Commissioner- Cum- Principal Secretary, Department of Mines and Geology, Government of Bihar, Patna.
3. The Director, Mines and Geology, Government of Bihar, Patna.
4. The Assistant Director, Mines and Geology, Government of Bihar, Patna.
5. The Assistant Director, Mines and Geology, Bhojpur.
6. The District Magistrate, Bhojpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Vipin Kumar, Advocate
For the Respondent/s : Mr. Sushil Kumar Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL JUDGMENT

Date : 11-11-2020

Heard Mr. Vipin Kumar, learned Advocate for the petitioner and Mr. Sushil Kumar Singh, learned Advocate for the State.

The petitioner has approached this Court for quashing the letter dated 26.06.2020 contained in Memo No. 1635 issued by the Assistant Director, Mines and Geology, Bhojpur whereby a request has been made for suspending/blocking the Portal ID of the license of the petitioner bearing number 133 of 2020.

It has been submitted on behalf of the petitioner that he had obtained the license for stocking minor minerals (sand) in the district of Bhojpur and the license



was for the period spanning between 31.12.2019 to 31.12.2020. It has further been submitted that the terms and conditions in the license do not prohibit the licensee/petitioner to stock sand from any other place.

The petitioner had been carrying his business under the license and for every supply, he generated a transporter's challan to be given to the transporter. Only then, the sand was dispatched. The return of the transaction as mandated under Form -2 has also regularly been submitted by the petitioner.

However, to his dismay, on 15.07.2019 when the petitioner wanted to open the ID Portal for generating a transport challan, the screen drew blank. When request to open the Portal ID was not acceded to, a representation was filed by the petitioner before the concerned authority. It was only then that the petitioner came to know that his Portal ID has been blocked intentionally.

The submission of the learned counsel for the petitioner is that such blocking of the Portal ID of his license has been done deliberately in order to favour a rival business person.

A representation has been filed by the petitioner against the aforesaid decision addressed to the Assistant Director, Mines and Geology but the same has not yet been responded to.



The license of the petitioner is to expire in the month of December.

Under such circumstances, this Court directs that the concerned respondent viz. the Assistant Director, Mines and Geology (respondent no. 4) to consider the representation of the petitioner at the earliest, preferably within a period of 15 days from the date of receipt/production of a copy of this order and pass necessary orders/instructions in that regard. Any decision by the concerned respondent shall be communicated to the petitioner forthwith. Needless to state that a speaking order shall be passed after taking into account the grievances of the petitioner and the grounds in his defence.

With the aforesaid direction/observation, the writ petition is disposed of.

(Ashutosh Kumar, J)

krishna/-

AFR/NAFR	NA
CAV DATE	NA
Uploading Date	12.11.2020
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