

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.911 of 2019

In
Civil Writ Jurisdiction Case No.16616 of 2017

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M/s Mahadev Enclave Pvt. Ltd. a registered company having its registered office at B-37, Ayodhya Marg, Hanuman Nagar, Jaipur, Rajasthan through one of its directos namely Kartik Rathi male aged about 27 years s/o Shri Ajay Rathi, R/o 3-B 22 23 Sukhadia Nagar, Sri Ganganagar (Rajasthan)

... .. Petitioner/s

Versus

1. The State of Bihar through Smt. Harjot Kaur Bamrah, the Principal cum Commissioner, Department of Mines and Geology, Govt. of Bihar, Patna
2. The Director Department of Mines and Geology, through Smt. Harjot Kaur Bamrah, Govt. of Bihar, Patna
3. The District Magistrate cum Collector through Sri Kaushal Kumar, Nawadah
4. The Assistant Director District Mining Office, through Sri Lal Bihari Prasad, Nawadah

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Gautam Kumar Kejriwal, Advocate
For the Opposite Party/s	:	Mr.Gyan Prakash Ojha (Ga7)
	:	Mr. Abhishek Singh (AC to GA 7)
For Mines	:	Mr. Naresh Dikshit (Spl.P.P. Mines)

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

8 22-12-2021 Heard the learned counsel for the petitioner and Sri Naresh Dikshit, the learned counsel for the contemnors.

At the very outset, the learned Spl.P.P. (Mines) has submitted that the Principal Secretary, Department of Mines & Geology, Government of Bihar, Patna undertakes to refund the amount in question, in compliance to and in obedience of the order dated 30.11.2018, passed in C.W.J.C. no. 16616 of 2017 on or before 15th of January, 2022.



In such view of the matter, the learned counsel for the petitioner submits that in case, the contemnors refund the amount in question, as directed by this Court vide order dated 30.11.2018, the petitioner would not have any subsisting grievance, however, in case, this Court is disposing off the present case, liberty may be granted to the petitioner to revive the present petition, in case of default on the part of the contemnors.

In view of the stand taken by the learned counsel for the contemnors, Sri Naresh Dixit (Spl.P.P. Mines) that the amount in question shall be refunded by 15th of January, 2022, I deem it fit and proper to give a quietus to the present case, however with an observation that if the amount in question is not refunded to the petitioner on or before 15th of January, 2022 and the undertaking, as aforesaid, is not honoured, the Principal Secretary, Department of Mines & Geology, Government of Bihar, Patna would be liable to be proceeded against and suitably punished by this Court.

The petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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