

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8484 of 2020

Om Prakash Singh Son of Late Mangal Singh Resident of Village- Bindaul,
P.S.- Bihta, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Old Secretariat, Patna- 800001.
2. The Principal Secretary-cum-Mines Commissioner, Department of Mines and Geology, Government of Bihar, Vikash Bhawan, Bailey Road, Patna.
3. The Director of Mines, Bihar, Vikas Bhawan, Bailey Road, Patna.
4. The District Magistrate cum Collector, Patna.
5. The Deputy Collector, Land Reforms, Danapur, District- Patna.
6. The Sub Divisional Officer, Danapur, Patna.
7. The Circle Officer, Bihta, District- Patna.
8. M/S Broadson Commodities Private Limited, a company incorporated under the provisions of the Companies Act, 1956 having its registered office at Dr. Himanshu Complex, Block Road, Koilwar Chowk, P.S.- Koilwar, Ara, District- Bhojpur through its Director, Ashok Kumar, Son of Late Ram Chandra Saw, Resident of Village/Mohalla Pareo, P.S. Bihta, District Patna.
9. Mithilesh Kumar Singh, Director, Broadson Commodities Private Limited Dr. Himanshu Complex, Block Road, Koilwar Chowk, P.S.- Koilwar, Ara, District- Bhojpur and also at Shashtri Nagar East, District- Dhanbad, Jharkhand.
10. T.T. Minerals and Expert Pvt Limited, Dr. Himanshu Complex, Block Road, Koilwar Chowk, P.S.- Koilwar, Ara, District- Bhojpur, Permanent Address-3 A III Floor 75 C Park Street, Kolkata- 700018.
11. The District Mining Officer cum Assistant Director, Patna, Department of Mines and Geology, Room No-13, 14 and 15 Transit Hostel Beerchand Patel Path, Patna- 800001.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Yudhishtir Kumar, Adv.
For the State		Mr. S.K. Mandal, SC-3
		Mrs. Neelam Kumari, AC to SC-3
		Mr. Arjun Prasad, AC to SC-3
		Mr. Bipin Kumar, AC to SC-3
For the Mines		Mr. Naresh Dikshit, S.PP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

5 05-03-2021

Heard learned counsel for the petitioners and



learned counsel for the respondents.

The petitioners have approached this Court for the following reliefs:

“(i) To quash the order contained in memo no. 3384 dated 27.09.2019 passed in Miscellaneous Case No. 07/2019 by the Learned Principal Secretary-cum-Mines Commissioner, Department of Mines and Geology, Government of Bihar, whereby and whereunder the proceedings were terminated for want of statutory power in complete disregard to the statutory obligation under the Bihar Minor Minerals Concession Rules.

(ii) For issuance of an order (s)/direction(s)/or writ(s) in the nature of Mandamus directing to cause the respondents to adequately compensate the petitioner in terms of the provisions contained in Bihar Minor Mineral Concession Rules as amended till date.

(iii) For issuance of an order (s)/direction(s)/or writ(s) in the nature of Mandamus directing the respondent no-2 to award punitive damages against the respondent no. 8 to pay a sum of Rs. 25 lacs to the petitioner.

(iv) To grant any other relief or reliefs to which the petitioners are entitled in the



facts and circumstances of the case.”

Learned counsel for the respondents submits that if the petitioner has any claim with regard to redressal of his grievance, he may be relegated to concerned authority to file a representation.

Considering the facts and circumstances of the case, this writ application is disposed of with a direction to the concerned/authority that if the petitioner files a representation along with a copy of this order before him, the same shall be considered in accordance with law and he would be obliged to pass a reasoned and speaking order within a period of three months from the date of filing of such representation.

The concerned authority would be solely responsible for non-compliance of this order within the stipulated period, as aforesaid.

With the aforesaid direction, this writ application stands disposed of.

(Anjani Kumar Sharan, J)

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