

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.961 of 2019

In
Civil Writ Jurisdiction Case No.19658 of 2018

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Abhishek Kumar Singh Son of Shri Daya Shankar Singh Resident of Village
and P.O.- Saroja, P.S.- Bakhtiyarpur, District- Saharsa

... .. Appellant/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Mines and Geology, Bihar, Patna
2. The Principal Secretary, Department of Mines and Geology, Bihar, Patna
3. The Under Secretary, Department of Mines and Geology, Bihar, Patna
4. The District Magistrate, Bhagalpur
5. The Mines Development Officer, Department of Mines and Geology, Bhagalpur

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr.Naresh Chandra Verma, Advocate
For the Respondent/s : Mr.Naresh Dikshit, Advocate

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

4 15-03-2021 This appeal is directed against the judgment dated 10.07.2019, passed in C.W.J.C. No. 19658 of 2018, titled as Abhishek Kumar Singh Vs. The State of Bihar & Ors., by a learned Single Judge of this Court.

We see no reason to interfere with the impugned judgement dated 10.07.2019 (supra). Appellant has got no right, statutory or contractual, to continue with the mining. The learned Single Judge rightly held the advertisement issued by



the Department calling upon tenders, not to be assailable on any tangible ground. We do not find any reason to interfere which such finding.

It is also brought to our notice that in relation to another site, petitioner had filed a similar petition which also was withdrawn by him with a direction to the Department to immediately take steps for completing the process of auction.

In any event, the learned Single Judge has already granted liberty to the petitioner to approach Respondent No. 2, namely the Principal Secretary, Department of Mines and Geology, Bihar, Patna venting out his grievances.

As such, appeal is dismissed with the observation and direction that the auction proceedings would be expedited and positively concluded, per law, within six months from today.

(Sanjay Karol, CJ)

(S. Kumar, J)

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