

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14327 of 2021

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Laghu Khaniz Vuyavasayi Sangh Through its Secretary Praful Kumar, Male
aged about 43 Years, S/o ramjendra Prasad residento of Chowk Shikarpur,
Darab Toli, P.S. Chowk, Patna City, Dist.-Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Govt. of Bihar, Patna.
2. The Principal Secretary, Department of Mines and Geology, Govt. of Bihar, Patna.
3. The Commissioner, Department of Mines, Govt. of Bihar, Patna.
4. The Director, Directorate of Mines, Govt. of Bihar, Patna.
5. The District Magistrate, Patna.
6. The Deputy Director, Department of Mines, Govt. of Bihar, Patna.
7. The Asstt. Director, Department of Mines, Govt. of Bihar, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Santosh Kumar Singh, Advocate
For the Respondent/s : Mr. Gyan Prakash Ojha, GA 7

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE S. KUMAR

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

(The proceedings of the Court are being conducted by Hon'ble the Chief Justice/Hon'ble Judges through Video Conferencing from their residential offices/residences. Also the Advocates and the Staffs joined the proceedings through Video Conferencing from their residences/offices.)

Date : 17-01-2022

Petitioner has prayed for the following relief(s):-

1. That the present writ petition is being filed for direction to the respondents to consider the genuine grievance/problem of the retailer of mines and minerals with respect of Bihar Minor Minerals Rule 2019 in which no where mention about ^wthe retailer sales the sand and stones smoothly and made proper amendment in Mines and Minerals Act 2019.



After the matter was heard for some time, learned counsel for the petitioner, under instructions, states that petitioner shall be content if a direction is issued to the authority concerned i.e. Respondent No. 6 namely The Deputy Director, Department of Mines, Govt. of Bihar, Patna to consider and decide the representation which the petitioner shall be filing afresh for redressal of the grievance(s).

Learned counsel for the respondents states that if such a representation is filed by the petitioner, the authority concerned shall consider and dispose it of expeditiously and preferably within a period of three months from the date of its filing along with a copy of this order.

Statement accepted and taken on record.

As such, petition stands disposed of in the following terms:-

(a) Petitioner shall approach the authority concerned i.e. Respondent No. 6 namely The Deputy Director, Department of Mines, Govt. of Bihar, Patna by filing a representation for redressal of the grievance(s);

(b) The authority concerned shall consider and dispose it of expeditiously by a reasoned and speaking order preferably



within a period of three months from the date of its filing along with a copy of this order;

(c) Needless to add, while considering such representation, principles of natural justice shall be followed and due opportunity of hearing afforded to the parties;

(d) Equally, liberty is reserved to the petitioner to take recourse to such alternative remedies as are otherwise available in accordance with law;

(e) We are hopeful that as and when petitioner takes recourse to such remedies, as are otherwise available in law, before the appropriate forum, the same shall be dealt with, in accordance with law and with reasonable dispatch;

(f) Liberty reserved to the petitioner to approach the Court, if the need so arises subsequently on the same and subsequent cause of action;

(g) We have not expressed any opinion on merits of the matter. All issues are left open;

(h) We expect that the appropriate authority shall consider and decide the petitioner's application/request expeditiously and preferably within a period of three months from the date of its presentation.



The petition stands disposed of in the aforesaid terms.

Interlocutory Application(s), if any, stands disposed of.

(Sanjay Karol, CJ)

(S. Kumar, J)

Sujit/-

AFR/NAFR	
CAV DATE	
Uploading Date	19.01.2022
Transmission Date	

