

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17826 of 2021

Unistar Biotech Ltd. 304, Anupam Plaza-1, Plot No. 6 LCS, Ghazipur, Delhi-110096 through its Director, Prakash Chandra, aged about 50 years (Male), son of Gopal Prasad Sharma, Resident of 2/67, Second Floor, Sector-6, Vaishali, Gaziabad, Uttar Pradesh, Pin-201010.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Bihar, Patna.
2. The Principal Secretary, Mines and Geology Department, Bihar, Patna.
3. The Secretary, Mines and Geology Department, Bihar, Patna.
4. The Special Secretary-cum-Director, Mines and Geology Department, Bihar, Patna.
5. The Chairman, the State Environment Impact Assessment Authority, (SEIAA), Patna.
6. The Principal Secretary, Forest Department, Bihar, Patna.
7. The Secretary, Forest Department, Bihar, Patna.
8. The District Magistrate, Aurangabad.
9. The Assistant Director-cum-District Mining Officer, Bhojpur.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Dhananjay Kumar, Advocate Mr. Pankaj Kumar Das, Advocate
For the Respondent/s	:	Mr. Gyan Prakash Ojha, GA-7

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 : 29-01-2022

Heard learned counsel for the parties.



Re: I.A. No. 1 of 2022

The instant Interlocutory Application has been filed for amendment in the prayer portion of the main writ petition to the following effect:-

“For that the relief sought for in this petition in Prayer 1(i) be deleted.

ii. For that the relief sought for in para-

1(ii) be substituted as-

“for issuance of writ/writs in the nature of mandamus commanding the respondents to refund the earnest money, security deposit, processing fee for environmental clearance and other expenses deposited by the petitioner for the purpose of being settlement of sand ghat 63 of Sone River under Bhojpur District with interest on market rate i.e. 18% with effect from the day, the said amounts were deposited, till the date of payment”.

For the reasons mentioned in the Interlocutory Application, the same is allowed and the prayer stands amended accordingly.

Re: CWJC No. 17826 of 2021

Learned counsel for the respondents places on record the government decision dated 10.12.2021, which reads



notification, reproduced (supra), does not prescribe any time limit for refund of the amount.

Learned counsel for the respondents states that needful shall be done at the earliest.

At this stage, learned counsel for the petitioner states that petitioner be permitted to approach the appropriate authority for award of interest.

Prayer allowed.

The instant petition stands disposed of in the aforesaid terms.

Interlocutory Application(s), if any, shall stand disposed of.

(Sanjay Karol, CJ)

(S. Kumar, J)

Amrendra/PKP

AFR/NAFR	
CAV DATE	
Uploading Date	31.01.2022
Transmission Date	

