

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.14678 of 2022**

Paropkar Consultant Private Limited a company registered under the Companies Act, having its office at Village Bag Majhauwan, P.S.-Koilar, District Bhojpur, through its authorized signatory, Bablu Kumar, aged about 38 years, son of Sri Yogendra Singh, Resident of Bag Majhauwan, P.S. Koilar, Town and District Bhojpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Commissioner-cum-Principal Secretary, Department of Mines and Geology, Government of Bihar, Vikas Bhawan, Bailey Road, Patna-800001.
2. The Principal Secretary cum Commissioner Mines, Department of Mines and Geology, Government of Bihar, Vikas Bhawan, Bailey Road, Patna-800001.
3. The Director, Mines and Geology Department, Government of Bihar, Vikas Bhawan, Bailey Road, Patna.
4. The Assistant Director, Department of Mines and Geology, Government of Bihar, Vikas Bhawan, Bailey Road, Patna.
5. The District Magistrate-cum-Collector, Bhojpur.
6. The Mineral Development Officer, Bhojpur.
7. The Mines Inspector, District Mining Office, Bhojpur.
8. The Bihar State Mining Corporation Limited through its Managing Director, Room No. 164, Vikas Bhawan, (New Secretariate), Bailey Road, Patna 800015.

... .. Respondent/s

**Appearance :**

|                      |   |                                     |
|----------------------|---|-------------------------------------|
| For the Petitioner/s | : | Mr. Suraj Samdarshi, Advocate       |
| For the Respondent/s | : | Mr. Gyan Prakash Ojha (GA-7)        |
|                      |   | Mr. Naresh Dikshit, Spl. P.P. Mines |

**CORAM: HONOURABLE THE CHIEF JUSTICE**

**and**

**HONOURABLE MR. JUSTICE PARTHA SARTHY**

**ORAL JUDGMENT**

**(Per: HONOURABLE THE CHIEF JUSTICE)**

**Date : 02-11-2022**

Petitioner has prayed for following relief (s):-

“(i) For issuance of a writ, order or direction in



the nature of mandamus commanding the Respondent Bihar State Mining Corporation Limited to extend the term of agreements dated 03.01.2022 for Sand Ghat Sone Cluster 44 TV Senetorium and Sand Ghat Sone Cluster 9 Lodipur in the district of Bhojpur, from 01.10.2022 till 31.12.2022.

(ii) This Hon'ble Court may adjudicate and hold that the action of the Respondent Bihar State Mining Corporation Limited in not extending the term of the agreements dated 03.01.2022 from 01.10.2022 till 31.12.2022 is highly arbitrary and unreasonable and thus violative of the Article 14 of the Constitution of India.

(iii) This Hon'ble Court may further adjudicate and hold that the petitioner cannot be denied extension of contract merely because it is pursuing its available legal remedies.

(iv) To award any other relief or reliefs for which the Petitioner is found entitled in the facts and the circumstances of the case.”

Shri Suraj Samdarshi, learned counsel for the petitioner, states that the petition can be disposed of with the direction to respondent No. 8, namely The Bihar State Mining Corporation Limited, Through its Managing Director, to decide the issue in relation to which the No Dues Certificate stands issued by the respondent Bihar State Mining Corporation Limited, Through its Managing Director.

Shri Naresh Dikshit, learned counsel for the respondents, has no objection to the same.



As such, we direct respondent No. 8, namely Bihar State Mining Corporation Limited, Through its Managing Director to positively decide the issue within a period of one week from today with regard to sand ghat (Sone Cluster-9, Lodipur falling in the district of Bhojpur), as is indicated in the No Dues Certificate.

Petition is disposed of in the aforesaid terms, reserving liberty to the petitioner to seek appropriate remedy, should the need so arise subsequently.

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

**(Sanjay Karol, CJ)**

**( Partha Sarthy, J)**

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