

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10028 of 2019

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Broad Son Commodities Pvt. Ltd. a Company incorporated under the provisions of the Companies Act, 1956 having its registered office at Dr. Himanshu Complex, Block Road, Koilwar Cowk, P.S.- Koilwar, District- Ara (Bhojpur), through its Director Punj Kumar Singh, aged about 52 years, (male), son of Ram Ballabh Prasad Singh, Resident of Near Suraksha Clinic, Hetli Band, Jharia, Amtal, Amtal, Dhanbad, Jharkhand.

... .. Petitioner/s

Versus

1. The Department of Mines through Mines Commissioner, Vikas Bhawan, Bailey Road, Patna.
2. The Assistant Director, Mines and Geology Department, Government of Bihar, Vikash Bhawan, Bailey Road, Patna.
3. The Licensing Authority cum Collector, Bhojpur.
4. The Mines Inspector, District Mines Office, Bhojpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Suraj Samdarshi, Advocate
For the Mines	:	Mr.Naresh Dikshit, Spl.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

4 10-08-2023 No one appears for the State.

Heard Mr. Suraj Samdarshi, learned counsel for the
petitioner and Mr. Naresh Dixit, learned Special P.P. Mines.

The present petition has been preferred for the
following reliefs:

*(i) to issue an appropriate writ, order or
direction in the nature of mandamus
commanding the Respondents to refund the
amount of royalty equivalent to the quantum
of sand which the Petitioner Company has*



been precluded from wining on account of intermittent closure of sand ghats, from the amount of advance royalty already paid by the Petitioner company for the calendar year 2018 for the district of Bhojpur;

(ii) this Hon'ble Court may adjudicate and hold that not allowing the petitioner company to win equivalent amount of sand after obtaining advance royalty leads to unjust enrichment;

(iii) to award the cost of litigation and suitable compensation to the petitioners for the toss and damages caused to the petitioners;

(iv) to grant/ award any other relief of reliefs which the Petitioners may be found entitled to in the facts and circumstances of the case.

Learned Special P.P. Mines submits that it would be appropriate that the petitioner approach the licensing authority cum the Collector, respondent no.3, Bhojpur for the aforesaid grievance.

The petition stands disposed of with liberty to the



petitioner to approach the respondent no.3 within four weeks from today.

If the petitioner prefers representation to respondent no.3 within four weeks, the same shall be disposed of by a reasoned order within the next three months by the respondent no.3, the licensing authority cum the Collector, Bhojpur.

The writ petition stands disposed of.

(Rajiv Roy, J)

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