

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11459 of 2022

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Vinay Kumar Singh son of Late Raghubansh Singh, Resident of Village -
Rasalpura, P.S. Doriganj, District - Saran at Chapra.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The Principal Secretary, Transport Department, Government of Bihar,
Visvesvaraya Bhavan, Bailey Road, Patna - 800015.
3. The Principal Secretary, Mines and Minerals Department, Government of
Bihar, Vikash Bhawan, Bailey Road, Patna.
4. The Collector-cum-District Magistrate, Bhojpur at Ara.
5. The District Transport Officer, Bhojpur at Ara.
6. The District Mining Development Officer, Bhojpur at Ara.
7. The Mines Inspector, Bhojpur at Ara.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Rakesh Kumar, Advocate Mr.Jagannath Singh, Advocate Ms.Jyoti Joshi, Advocate Mr.Md.Ghulam Mustafa, Advocate
For the State	:	Mr.Gyan Prakash Ojha (Ga7) Mr.Uday Shankar Pandey, AC to GA-7
For the Mines	:	Mr.Naresh Dixit, Advocate Mr.Brij Bihari Tiwari, Advocate

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 02-05-2023 The present writ petition has been filed seeking the
following relief:-

"1. That this is an application for issuance of a writ in the nature of Mandamus or any other appropriate writ/rule commanding the Respondent Authorities to initiate an appropriate Departmental Proceeding/Criminal Proceeding against the District Transport officer, Bhojpur at Ara (Respondent No. 5), the District Mining



Development Officer, Bhojpur at Ara (Respondent No. 6) and the Mining Officer, Bhojpur at Ara (Respondent No. 7) who have taken the law in their own hand by colourable exercise of their powers and have forcefully collected the fine of Rs. 2,05,375/- + 61,500/- total 2,66,875/- even after having the Mineral Concession Permit and Challan along with License as required under Bihar Minerals Concession, Prevention of Illegal Mining, Transportation and Storage, Amendment Rules, 2021 exhibiting callous disregard of normal requirement of Rule of Law only because they are vested with the powers of District Transport Officer, Mining Development Officer and Mining Inspector and the Respondents Authorities may further be directed to return the money amounting petitioner to Rs. 2,66,875/- extorted from the petitioner along with suitable amount of compensation, cost and interest payable to the the petitioner in the facts and circumstances of the present case without getting the vehicle i.e. Truck No. JH-02R-6146 to the nearest weigh bridge and without getting the contents of the vehicle i.e. Yellow Sand weighed as required under provisions of Rule-60 of Bihar Mineral (Concession, Prevention of Illegal Mining, Transportation and Storage) Rules, 2019."

After some arguments, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to approach



the respondent-authorities for redressal of his subsisting grievances. Liberty, so sought, is granted.

The writ petition stands dismissed as not pressed.

(Mohit Kumar Shah, J)

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