

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12949 of 2022

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M/s. Brijnandan Singh through its Partner Brijnandan Singh, aged about 62 years, Male, S/o Late Mangru Singh, Resident of Village- Lahthan, P.S.- Agiaon Bazar, District- Bhojpur, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Water Resources Department, Government of Bihar, Patna.
2. The Engineer-in-Chief, (Head Quarters), Water Resources Department, Government of Bihar, Patna.
3. The Chief Engineer, Flood Control and Drainage, Water Resources Department, Katihar, District- Katihar, Bihar.
4. The Director, Mines and Geology Department, Government of Bihar, Patna.
5. The Executive Engineer, Flood Control Division, Naugachia, District- Bhagalpur, Bihar.
6. The Mines Development Officer, Bhagalpur, District- Bhagalpur, Bihar.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Prabhat Ranjan, Advocate
For the Respondent/s : Mr.Anjani Kumar, AAG 4

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CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
and
HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE P. B. BAJANTHRI)

12 13-07-2023 In the instant petition, petitioner has prayed for the following reliefs:-

"(i) For quashing of the Notice to Show Cause bearing Letter No. 3065 dated 21.07.2022 issued at the level of the Government by which, the petitioner has been asked to submit his reply within a period of one week as to why, the Registration No. 31/



2015 (Class I) be not blacklisted for a period of 10 years; and

(ii) Restraining the Respondents from proceeding further and giving effect to the Notice to Show Cause bearing Letter No. 3065 dated 21.07.2022 during the pendency of the instant writ application or without the leave of this Hon'ble Court."

2. During pendency of the present petition I.A. No.

1 of 2022 has been filed with the following prayer:-

"1.(iii) Quashing of the order dated 06.09.2022 contained in Letter No. 3488 issued by the Joint Secretary (Engineering) Water Resources Department, Patna as approved by the Departmental Secretary, whereby on the basis of the Letter No. 2799 dated 17.06.2022 issued by the Mines and Geology Department, Patna, the petitioner's claim for refund of Rs. 1,36,37,600.00 deducted under the heads of royalty has been rejected."

3. Perusal of the reliefs sought in the present petition, it is *prima facie* certain disputed issues which cannot be adjudicated in writ petition. Therefore, the present petition stands disposed of as not maintainable reserving liberty to the petitioner to invoke appropriate remedy before appropriate authority. Accordingly, the I.A. No. 1 of 2022 stands disposed off.

4. Concerned authorities are hereby directed to take



note of Section 14 of the Limitation Act, 1963 for the purpose
of entertaining any grievance of the petitioner.

(P. B. Bajanthri, J)

(Jitendra Kumar, J)

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