IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14311 of 2022

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Geeta Enterprises A Proprietorship Firm Having its Place of Business At C-24, Village Shiv Bari, Narayan Vihar Colony, Bikaner, Rajasthan-334001 through its authorised representative namely Kaushal Kishore Yadav male aged about 38 years son of Chandra Kishore Prasad Yadav resident of Krishna Puri Dhibri, Thakurganj, Kishanganj, Bihar-855116.

... ... Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Department of Mines and Geology, Government of Bihar, Patna.
2. The Bihar State Mining Corporation Limited Patna through its Managing Director.
3. The Managing Director, Bihar State Mining Corporation Limited, Patna.
4. The General Manager, Bihar State Mining Corporation Limited, Patna.
5. The Chief Executive Officer, Bihar State Mining Corporation Limited, Patna.
6. The District Collector, Kishunganj.

... ... Respondent/s

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with

Civil Writ Jurisdiction Case No. 14615 of 2022

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Geeta Enterprises A Proprietorship Firm Having Its Place of Business At C-24, Village Shiv Bari, Narayan Vihar Colony, Bikaner, Rajasthan - 334001 through its authorised representative namely Kaushal Kishore Yadav male aged about 38 years, Son of Chandra Kishore Prasad Yadav resident of Krishna Puri Dhibri, Thakurganj, Kishanganj, Bihar - 855116.

... ... Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Department of Mines and Geology, Government of Bihar, Patna.
2. The Bihar State Mining Corporation limited, Patna through its managing director.
3. The Managing Director, Bihar State Mining Corporation Limited, Patna.
4. The General Manager, Bihar State Mining Corporation Limited, Patna.
5. The Chief Executive Officer, Bihar State Mining Corporation Limited, Patna.
6. The District Collector, Kishunganj. (Cluster number 04)

... ... Respondent/s

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with

Civil Writ Jurisdiction Case No. 14680 of 2022

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Geeta Enterprises A Proprietorship Firm having its Place of Business At C-24, Village Shiv Bari, Narayan Vihar Colony, Bikaner, Rajasthan- 334001 through its authorised representative namely Kaushal Kishore Yadav male aged about 38 years son of Chandra Kishore Prasad Yadav resident of Krishna Puri Dhibri, Thakurganj, Kishanganj, Bihar- 855116.

... ... Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Department of Mines and Geology, Government of Bihar, Patna.
2. The Bihar State Mining Corporation Limited, Patna through its Managing Director.
3. The Managing Director, Bihar State Mining Corporation Limited, Patna.
4. The General Manager, Bihar State Mining Corporation Limited, Patna.
5. The Chief Executive Officer, Bihar State Mining Corporation Limited, Patna.
6. The District Collector, Kishunganj, (Cluster number 10)

... ... Respondent/s

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with

Civil Writ Jurisdiction Case No. 14717 of 2022

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Geeta Enterprises A proprietorship Firm Having Its Place Of Business At C-24, Village Shiv Bari, Narayan Vihar Colony, Bikaner, Rajasthan- 334001 throughits authorised representative namely Kaushal Kishore Yadav Male aged about 38 years son of Chandra Kishore Prasad Yadav resident of Krishna Puri Dhibri, Thakurganj, Kishanganj, Bihar- 855116

... ... Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Department of Mines and Geology, Government of Bihar, Patna.
2. The Bihar State Mining Corporation Limited, Patna through its Managing Director.
3. The Managing Director, Bihar State Mining Corporation Limited, Patna.
4. The General Manager, Bihar State Mining Corporation Limited, Patna.
5. The Chief Executive Officer, Bihar State Mining Corporation Limited, Patna.
6. The District Collector, Gaya. (Cluster number 15).

... ... Respondent/s

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with

Civil Writ Jurisdiction Case No. 14731 of 2022

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Geeta Enterprises Address - A proprietorship Firm Having Its Place Of Business At C-24, Village Shiv Bari, Narayan Vihar Colony, Bikaner, Rajasthan- 334001 throughits authorised representative namely Kaushal Kishore Yadav Male aged about 38 years son of Chandra Kishore Prasad Yadav resident of Krishna Puri Dhibri, Thakurganj, Kishanganj, Bihar-855116

... ... Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Department of Mines and Geology, Government of Bihar, Patna.
2. The Bihar State Mining Corporation Limited, Patna through its Managing Director.
3. The Managing Director, Bihar State Mining Corporation Limited, Patna.
4. The General Manager, Bihar State Mining Corporation Limited, Patna.
5. The Chief Executive Officer, Bihar State Mining Corporation Limited, Patna.
6. The District Collector, Kishunganj. (Cluster number 11)

... ... Respondent/s

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with

Civil Writ Jurisdiction Case No. 14789 of 2022

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Geeta Enterprises A Proprietorship Firm Having Its Place of Business At C-24, Village Shiv Bari, Narayan Vihar Colony, Bikaner, Rajasthan - 334001 through its authorised representative namely Kaushal Kishore Yadav male aged about 38 years, Son of Chandra Kishore Prasad Yadav resident of Krishna Puri Dhibri, Thakurganj, Kishanganj, Bihar - 855116.

... ... Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Department of Mines and Geology, Government of Bihar, Patna.
2. The Bihar State Mining Corporation limited, Patna through its managing director.
3. The Managing Director, Bihar State Mining Corporation Limited, Patna.
4. The General Manager, Bihar State Mining Corporation Limited, Patna.
5. The Chief Executive Officer, Bihar State Mining Corporation Limited, Patna.
6. The District Collector, Kishunganj (Cluster number 09)

... ... Respondent/s

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with

Civil Writ Jurisdiction Case No. 14952 of 2022

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Geeta Enterprises A proprietorship Firm having its place of Business at C-24, Village Shiv Bari, Narayan Vihar Colony, Bikaner, Rajasthan-334001 through its authorised representative namely Kaushal Kishore Yadav male aged about 38 years son of Chandra Kishore Prasad Yadav, resident of Krishna Puri Dhibri, Thakurganj, Kishanganj, Bihar-855116.

... ... Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Department of Mines and Geology, Government of Bihar, Patna.
2. The Bihar State Mining Corporation Limited Patna through its Managing Director.
3. The Managing Director, Bihar State Mining Corporation Limited, Patna.
4. The General Manager, Bihar State Mining Corporation Limited, Patna.
5. The Chief Executive Officer, Bihar State Mining Corporation Limited, Patna.
6. The District Collector, Gaya (Cluster number 35).

... ... Respondent/s

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with

Civil Writ Jurisdiction Case No. 17225 of 2022

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Kunal Kumar Son of Ramjee Prasad Resident of Village Rerbigha, Pabheri, P.S.- Dhanarua District- Patna, Bihar.

... ... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Mines and Geology Department, Government of Bihar, Vikas Bhawan, Bailey Road, Patna.
2. The Principal Secretary cum Mines Commissioner, Mines and Geology Department, Government of Bihar, Vikas Bhawan, Bailey Road, Patna.
3. The Director, Mines and Geology Department, Government of Bihar, Vikas Bhawan, Bailey Road, Patna.
4. The Collector cum District Magistrate, Patna.
5. The District Mining Officer, Patna.
6. The Bihar State Mining Corporation Limited, through its Chief Executive Officer, Room No. 164, Vikas Bhawan, (New Secretariat), Bailey Road, Patna 800015.
7. The Administrative Officer, Bihar State Mining Corporation Limited, Room No. 164, Vikas Bhawan, (New Secretariat), Bailey Road, Patna 800015.

... ... Respondent/s

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Appearance :
(In Civil Writ Jurisdiction Case No. 14311 of 2022)
For the Petitioner/s : Mr.Gautam Kumar Kejriwal, Advocate

For the State	:	Mr.Gyan Prakash Ojha, GA-7 Mr. Uday Shankar Pandey, AC to GA-7
For Dept. of Mines	:	Mr. Naresh Dikshit, Advocate Mrs. Kalpana, Advocate
(In Civil Writ Jurisdiction Case No. 14615 of 2022)		
For the Petitioner/s	:	Mr.Gautam Kumar Kejriwal, Advocate
For the State	:	Mr.Gyan Prakash Ojha, GA-7 Mr. Uday Shankar Pandey, AC to GA-7
For Dept. of Mines	:	Mr. Naresh Dikshit, Advocate Mrs. Kalpana, Advocate
(In Civil Writ Jurisdiction Case No. 14680 of 2022)		
For the Petitioner/s	:	Mr.Gautam Kumar Kejriwal, Advocate
For the State	:	Mr.Gyan Prakash Ojha, GA-7 Mr. Uday Shankar Pandey, AC to GA-7
For Dept. of Mines	:	Mr. Naresh Dikshit, Advocate Mrs. Kalpana, Advocate
(In Civil Writ Jurisdiction Case No. 14717 of 2022)		
For the Petitioner/s	:	Mr.Gautam Kumar Kejriwal, Advocate
For the State	:	Mr.Gyan Prakash Ojha, GA-7 Mr. Uday Shankar Pandey, AC to GA-7
For Dept. of Mines	:	Mr. Naresh Dikshit, Advocate Mrs. Kalpana, Advocate
(In Civil Writ Jurisdiction Case No. 14731 of 2022)		
For the Petitioner/s	:	Mr.Gautam Kumar Kejriwal, Advocate
For the State	:	Mr.Gyan Prakash Ojha, GA-7 Mr. Uday Shankar Pandey, AC to GA-7
For Dept. of Mines	:	Mr. Naresh Dikshit, Advocate Mrs. Kalpana, Advocate
(In Civil Writ Jurisdiction Case No. 14789 of 2022)		
For the Petitioner/s	:	Mr.Gautam Kumar Kejriwal, Advocate
For the State	:	Mr.Gyan Prakash Ojha, GA-7 Mr. Uday Shankar Pandey, AC to GA-7
For Dept. of Mines	:	Mr. Naresh Dikshit, Advocate Mrs. Kalpana, Advocate
(In Civil Writ Jurisdiction Case No. 14952 of 2022)		
For the Petitioner/s	:	Mr.Gautam Kumar Kejriwal, Advocate
For the State	:	Mr.Gyan Prakash Ojha, GA-7 Mr. Uday Shankar Pandey, AC to GA-7
For Dept. of Mines	:	Mr. Naresh Dikshit, Advocate Mrs. Kalpana, Advocate
(In Civil Writ Jurisdiction Case No. 17225 of 2022)		
For the Petitioner/s	:	Mr.Suraj Samdarshi, Advocate Mr. Avinash Shomkhar, Advocate
For the State	:	Mr.Gyan Prakash Ojha, GA-7 Mr. Uday Shankar Pandey, AC to GA-7
For Dept. of Mines	:	Mr. Naresh Dikshit, Advocate Mrs. Kalpana, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

4 20-06-2023 Heard Mr. Gautam Kejriwal, learned counsel appearing for the petitioners in batch cases and Mr. Suraj

Samdarshi, learned counsel for the petitioner in CWJC No.17225 of 2022 as also Mr. Naresh Dikshit who represent the Mines Department duly assisted by Ms. Kalpana, Advocate.

All the writ petitions have been preferred challenging one or the other orders passed by the Director Mines-cum-CEO, Bihar Sand Mining Corporation Limited (respondent no.5), (henceforth for short' the BMSC') by which at the end of the term, the security deposit was withheld with a direction to make payment with regard to the each e-challan issued for the vehicle which did not had the registration number.

For illustration one case is being taken up i.e. CWJC No.14311 of 2022 (Geeta Enterprises vs. The State of Bihar).

In this case the memo no.1896 dated 13.09.2022 issued by the respondent no.5 has been challenged by which a penalty of Rs.3066,050/- has been levied under Rule-56 of the Bihar Minerals (Concession, Prevention of Illegal Mining, Transportation and Storage) Rules 2019 (henceforth for short "the Rules 2019) further debarring him from participating in the auction process for sandghats unless payments made.

Learned counsel for the petitioner has brought this Court attention to paragraph 17 which read as follows:

"17. That it is specifically stated and submitted that the impugned order

issued by the respondent number 5 imposing penalty under rule 56 of the rules 2019 as against the petitioner is wholly without jurisdiction and unsustainable in the eye of law on the basis of following grounds:-

a) The petitioner cannot be penalised under rule 56 of the rules 2019 for an offence allegedly committed in terms of section 192 of the Motor Vehicles Act 1988.

b) The respondent Corporation and its authorities had no jurisdiction to punish the petitioner for an offence allegedly made out under the Motor Vehicles Act 1988 and it is the authorities constituted under the said act alone have jurisdiction in the matter.

c) No jurisdiction in terms of rule 56 of rules 2019 to initiate any proceeding as against the petitioner as the petitioner is a contractor with valid license to carry out mining activities in terms of agreement with the Corporation. Besides, the petitioner is not a transporter engaged in transportation of sand nor has caused such transportation of sand.

Rule 56 of the rules 2019 is in two parts - one is that which applies to a case of persons carrying out mining activities and another to persons engaged in transportation of minerals. Petitioner herein *is a mining contractor and not at all a transporter. As such it is the said part of rule 56 dealing with engagement of a person in mining operations which would apply and not that which applies to the case of transporter.*

d) The petitioner is simply a contractor engaged by the Corporation to carry out mining operations which includes excavation and extraction of sand from the sandghats wherein the last activity to be performed is sale of sand from the sandghats. The petitioner is not concerned at all with the mode and mean of transportation of such sand from the point of sale. The petitioner is simply a seller of sand from the sandghats awarded under contract.

e) It is the purchaser or the transporting agency engaged by the purchaser who is responsible for the validity or otherwise of the vehicle in which such stock of cement is to be transported. Therefore, at best, it can be the purchaser or the transporter of the stock of sand who could be held responsible for transportation of sand in a vehicle non-compliant with the rules of Motor Vehicles Act 1988.

f) No provision under the rules 2019 or the Mines and Minerals (Development and Regulation) Act 1957 *mandatorily requires the supply of sand to a vehicle with a registration number alone. Therefore, it is otherwise misconceived notion that the supply of sand to a vehicle without proper registration number would make out a case of illegal mining and illegal transportation in terms of rule 56.*

g) The petitioner has fully complied with the requirement of clause 31 (i) of the notice inviting tender whereby it is obligatory for the petitioner to provide challan to the driver of the petitioner while handing over the stock of sand.

h) Rule 43 of the rules 2019 obliges the transporter of the mineral to ensure possession of a valid transit pass/challan/E challan in form G which is issued by the competent authority under the rules. Therefore, it would appear that the mandate of law also binds the transporter of minerals to ensure compliance of rules relating to transportation and not the petitioner.

i) The petitioner has duly played its part by obtaining/downloading E challans before releasing the vehicle with sand from the sandghats. Not a single instance has been pointed out of any vehicle released by the petitioner without a valid E challan.

j) E challans is issued by the competent authority under rule 43 of the rules 2019. The issuance or refusal of E challans is fully within the controls of such competent authority. The petitioner is nobody to issue E challans in favour of a particular vehicle or transporter or purchaser. Once the portal of the Department of mines and geology accepted the particulars uploaded by the petitioner and issued E challans in support of a sale/supply, it can never be said to be wrong or erroneous. It is always valid.

k) No rule of law defines a valid or invalid E challans. The requirement of rules is possession of E challans with the vehicle transporting stock of sand supplied by the petitioner. No case of absence of E challans with any such vehicle carrying stock of sand supplied by the petitioner has been pointed out. In fact, each and every vehicle dispatched from the sandghats of the petitioner has been in possession of E challans which is admitted by the respondent number 5 himself in the show cause notice as well as the impugned order.

l) Not only that, the petitioner has also issued tax invoices against each and every sale along with E challan downloaded from the departmental portal and has *deposited GST (tax against sale) with respect to every such sale invoice to the government.*

m) The most important is clause 24 of the tender notice wherein it has been required that every vehicle including a registered water boat shall be registered with the Department of mines and geology, government of Bihar for transportation of sand. It is therefore understood that the portal of the Department of mines and geology would issue E challans in favour of only such vehicles and boats which are registered with the Department.

n) It was the responsibility of the Department of mines and geology to refuse E challans in case the details of vehicle not registered with the said Department to transport sand was filled up by the petitioner. The petitioner had a reasonable ground to understand that the Department of mines and geology had issued E challans in a particular case only because the vehicle happened to be registered with the Department and there is no difficulty in such vehicle to transport sand from one place to another.

o) No invalid E challans can be expected from the official portal of the Department of mines and geology, *government of Bihar.*

p) It is not just the expression "unrealistic vehicle" which can attract proceedings under rule 56 rather a proceeding under the said provision of law can be initiated only when the petitioner would have carried out mining activities without valid permission of the Corporation.

q) The auction amount collected from the petitioner is against the cost of minerals supplied to the petitioner as the respondent corporation has already collected the whole of the auction amount from the petitioner in the name of royalty. The petitioner was required to deposit the entire auction amount to the Corporation and recover such cost of purchase along with its profit margin from the purchasers along with GST. Once this position is not disputed, the petitioner holds the position of an owner of such of the quantity of sand lying in the sandghats the value of which has been paid by the petitioner to the Corporation.

r) Part 1 of the agreement dated 26.02.2022 itself indicates the mineable quantity of sand being 33,43,585 ft lying in the sandghats namely Kanchanbari and Dargah Chichora în cluster number 15. The petitioner is the owner of such quantity of *sand on account of having already paid the value thereof to the Corporation. Once it is so, there is no question of loss caused to the state exchequer even if any part of such Purchased mineral is sold by the petitioner to the customer having some issue of invalidating with the vehicle used in transportation thereof.*

s) There is nothing due in the name of cost of mineral to be paid by the petitioner and therefore the amount of penalty is absolutely misconceived, illogical and wholly without any rational basis.

t) The order is non-speaking as it does not deal with all the issues raised by the petitioner and the reply submitted in response to the show cause notice. The Respondent number 5 would appear to have recorded his understanding and finding based on his own conception of the law relating to Motor Vehicles Act 1988.

u) No rules under rules 2019 nor any provision of the Mines and Minerals (Development and Regulation) Act 1957 prescribes any penal liability of the petitioner for violation of the provisions of law in force.

v) The practice of filling in the particulars of chassis number of the transporting vehicle in case registration *number is not available in the rural areas has been in vogue which was always accepted by the respondent Department of mines and geology as well as the Corporation right since 2017. Once such has been the position, the impugned order imposing penalty besides being without jurisdiction is also in teeth of the principle of estoppel.*

w) The petitioner is not responsible for vehicles plying on road or public places with a declaration of having applied for the registration number. Such vehicles were brought by the intending purchaser to the sandghats of the petitioner for purchase of sand after crossing the whole domain of the local administration which would show that the said vehicle was allowed to ply comfortably irrespective of the rigours of law. Thus, the petitioner cannot be alleged of having encouraged the violation of section 192 of the Motor Vehicles Act 1988.

x) The petitioner has been honest and sincere in uploading the details of chassis number in case the registration number was not available and the declaration of registration number having been applied for in case it was so with a particular vehicle. Had the petitioner been *guilty of any dishonesty or malafide, no such true and correct declaration would be uploaded by the petitioner rather some fictitious vehicle number could be uploaded on the portal to obtain a challan somehow or the other.*

y) No provision in the rules 2019 to debar the petitioner from participation in further future tenders on account of non-payment of the alleged demand of penalty.

z) No proper enquiry has been conducted by the respondent corporation before thrusting upon the petitioner the liability of penalty under rule 56 of rules 2019. Each and every E challans in question carried the details of driver along with his mobile number. If the respondent corporation was so keen about the genuineness and credibility of the particulars of vehicle fed by the petitioner on the portal, the concerned drivers of each and every vehicle could have been summoned in order to ascertain the delivery of mineral by the petitioner against cost received.

Xerox copy of few sample challans are being annexed herewith and marked as Annexure - 9 Series for ready reference.

aa) Not only that, there is no

discussion in the impugned order about the tax invoices issued by the petitioner against each and every sale of sand to the purchasers against which the petitioner has already collected GST and paid the same to the government. Once the petitioner has discharged tax liabilities as well against each and every sale of sand including the so-called unrealistic vehicles, neither the cost of mineral nor any tax liability is due against the petitioner and there is not question of loss to the state exchequer.

Xerox copy of the few sample tax invoices are being annexed herewith and marked as Annexure -10 series for ready reference."

It is the case of the petitioner that Rule-56 of "the Rules 2019" does not come into picture as it is not the case of the respondent that a chassis number or Applied for was/were not written and meted out to them and only after verification the e-chalan were issued and it is further not the case of the respondent that fictitious numbers of the vehicle were provided to them necessitating the action. The petitioner's counsel submits that this is nothing but harassment.

The last submission is that in similar situate matter vide CWJC No.111 of 2023 (Harsh Construction Vs. The State of Bihar) a coordinate bench of this Court on 02.05.2023 decided in favour of the concerned petitioner.

A perusal of the said order dated 02.05.2023 by coordinate bench specifically paragraph 21 to 24 shows that the similar matter was decided and the said paragraphs are being incorporated herein below for proper appreciation:

> *"21. On the other hand Rule 56 of the Rules deals with penalty for unauthorized extraction and removal of minor minerals. Rule 56(1) of the Rules as quoted herein above is quite clear when it provides that whoever is found to be extracting or removing minor minerals or on whose behalf such extraction or removal is being made, otherwise than in accordance of these Rules, he would be liable for punishment, as provided under the said provision. Thus, in the opinion of this Court, the very heading of Rule 56 which talks about penalty for unauthorized extraction and removal of minor minerals, contemplates that the same is with respect to persons not having a valid license/agreement for extraction of minor minerals. In case, the person is having a valid license, the permission for extraction already being there, in case there is any breach, the provision of Rule 30 which deals*

with penalty in case of breach of terms would come into play.

22. So far as the facts of the instant case is concerned, there is no dispute that pursuant to the petitioner being the highest bidder for the mine in question, work order dated 8.12.2021 (Annexure-1) was issued in his favour and subsequently an agreement was also entered into on 29.3.2022 (Annexure-2) between the BSMCL and the petitioner. Thus in the opinion of the Court the case of the petitioner would not come under Rule 56 of the Rules and the order impugned is not sustainable on this ground alone. 23. It may further be stated here that so far as the ground of incorrect e-challans being issued is concerned, it was submitted by learned senior counsel appearing for the petitioner that the petitioner was required to fill up Form-G and on the same being accepted that the mineral transit pass / e-challans is generated by the Department of Mines and Geology, Government of Bihar. Besides the details mentioned in Form-G, at Sl. no. 16 thereof the vehicle number is required to be given. Learned senior counsel submitted that it is the categorical case of the petitioner that in absence of the registration number of the vehicle being available, with respect to *the vehicle the petitioner supplied the chassis number of the vehicle and the respondents issued the e-challans for transportation of the mined sand.*

24. On perusal of the counter affidavit and hearing learned Special P.P. Mines for the respondents, it transpires that the case of the respondent is that on a number of occasions the e-challans were generated with chassis number and AF (ie Applied For) mentioned in place of registration number which was in complete violation of section 192 of the Motors Vehicle Act. Here also, the Court may observe that mentioning of chassis number and at the same time stating against the registration number that the same is 'Applied For', can in no manner be said that the vehicles in question were unrealistic, fictitious and that the registration number was mandatory. It is not the case of the respondents that an incorrect registration number was given with respect to any of the vehicles. In any case of the matter, the case of the petitioner would not fall in the category of a person on whom penalty under Rule 56 of the Rules would be leviable."

Mr. Naresh Dikshit, learned counsel for the Mines Department fairly concedes that all the batch cases including

CWJC No.17225/2022 (Kunal Kumar vs. The State of Bihar & Ors.) arises out of the same question which has been elaborately answered by the coordinate bench in CWJC No.111 of 2023 (Harsh Construction Vs. The State of Bihar).

Taking into account the aforesaid facts, this Court has no hesitation in taking the same route which has earlier been taken by the coordinate bench in CWJC No.111 of 2023 and accordingly the orders in question passed by the Director Mines-cum-CEO, Bihar Sand Mining Corporation Limited in all the batch cases are hereby quashed.

The Director Mines-cum-CEO, Bihar Sand Mining Corporation Limited, Bihar is directed to refund the security deposit of all the petitioners (that are part of the present writ petitions) within a period of three months.

Further in case of those petitioners who were forced to make additional payment of fine beside security deposits shall also entitled for the refund from the respondents.

All the writ petitions stand disposed of.

(Rajiv Roy, J)

Prakash Narayan /-

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