

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2276 of 2024

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Mordhwaj Ray Son of Birendra Ray Resident of Village-Nonaur, P.O. Karwasin, Police Station-Sahar, District-Bhojpur, Ara.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secrerary, Bihar Mines and Geology Department, Govt. of Bihar, Patna.
2. The Additional Chief Secreary, Bihar Mines and Geology Department, Govt. of Bihar, Patna.
3. The Distirct Magistrte, Bhojpur at Ara.
4. The Assistant Director, Munes and Geology Department, Bhojpur, Ara.
5. The Sub-Divisional Magistrate, Sadar, Ara.
6. The Circle Officer, Agiaon Bazar, District-Bhojpur.
7. The Station House Officer, Sahar Police Station, District-Bhojpur.
8. M/s Maha Laxmi Enterprises through its Proprietor Digvijay Singh, Chhota Govindpur, Police Station and District-Jamshedpur (Jharkhand).

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Rajeev Kumar Singh, Advocate
	:	Mr. Jitendra Kumar Singh, Advocate
For the State	:	Mrs. Archana Meenakshee, GP-6

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 12-09-2024 Heard Mr. Jitendra Kumar Singh, learned counsel for the petitioner and Mrs. Archana Meenakshee learned GP-6 for the State.

2. The present writ petition has been preferred for grant of following reliefs:-

A. For the issuance of a writ in the nature of mandamus directing the Respondents to stop the illegal sand mining by a licensee in the name and style of M/S Maha Laxmi Enterprises



(Respondent No.8) at Cullesture-25, situated at Bajraiya, Sonbarsa, Maqboolpur, Allauddin and other villages under police station Sahar, District-Bhojpur as no licence has been granted for the sand mining in the area and the same is in violation of Section-4, 19, 20 and other Sections of Mines and the Minerals (Development and Regulation) Act, 1957 (hereinafter referred to as the Mines Act) and Rules-41 and 57 of the Bihar Minerals (Concession, Preventing of Illegal Mining Transportation and Storage) Rules, 2019 (hereinafter referred to as Mines Rules).

B. For the issuance of a writ in the nature of mandamus directing the respondents to stop the movement of the vehicles carrying sand through the illegally constructed road merely 200 MTS.away from the +2 High School and the same is adversely affecting the health of the students and possess a danger to their life and liberty.

C. For the issuance of a writ in the nature of mandamus directing the respondents to conduct enquiry and to take action against those involved in the perpetration of the illegal mining.

D. For grant of any other relief/reliefs for which the petitioner is legally entitled in the facts and circumstances of the case.



3. The petitioner has come with a simple prayer to dispose of the representation that is pending before the Additional Chief Secretary, Bihar Mines and Geology Department, Bihar, Patna (respondent no.2)(Annexure P/2 to the writ petition).

4. Mrs. Meenakshee, learned State counsel submits that since the matter is of the November 2023, she will inform the department to take appropriate steps for the disposal of the representation.

5. In that view of the matter, the writ petition stands disposed of with the direction to the respondent no.2 to take up the representation of the petitioner (Annexure P/2 to the writ petition) received in his office and after hearing all the concerned parties to dispose it of by maximum 31st December, 2024.

(Rajiv Roy, J)

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