

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2415 of 2023

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M/s Madan Lal Chandak and Sons a partnership firm having its permanent place of business at 260- New Dhan Mandi, Shri Gaganagar, Rajasthan- 335001 through its authorized signatory namely Anil Kumar Ojha male aged about 31 years son of Jagdish Prashad Ojha resident of near Majisa Temple, Chopra Bari, Ganga Shaher, Bikaner, Rajasthan- 334401.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Department of Mines and Geology, Govt. of Bihar, Patna.
2. The Bihar State Mining Corporation Ltd through its Chief Executive Officer, Bihar, Patna.
3. The Chief Executive Officer, Bihar State Mining Corporation Ltd, Bihar, Patna.
4. The General Manager, Bihar State Mining Corporation Ltd, Bihar, Patna.
5. The Administrative Officer, Bihar State Mining Corporation Ltd, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Gautam Kumar Kejriwal
For the Respondent/s	:	Mr. Gyan Prakash Ojha (Ga7)

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL JUDGMENT

Date : 28-01-2025

Heard learned counsel for the petitioner, learned GA 7
for the State and learned counsel for the Mines Department.

2. Learned counsel for the petitioner outrightly submits that petitioner has not prayed for the relief ‘C’ in the present writ petition. He further submits that in view of the stand taken by the Mines Department in paragraph- 7 of the counter affidavit, the writ petition may disposed of. The paragraph no. 7 of the counter affidavit is quoted hereinbelow:

“7. That at the outset, it is humbly



submitted that the petitioner has already extracted the prescribed amount of sand which comes to a total of 123486 MT in the entire duration of the contract which is evident from the document dated 02.11.2022 pertaining to Program Management Unit signed by Baidya Nath Pandey, Programmer, and hence, the petitioner has not suffered any losses or legal damage. Therefore, the petitioner’s claim for any compensation of refund proportionate to 41 non-working days is not sustainable in the eye of law.”

3. In view of the stand taken by the respondents in their counter affidavit as mentioned in Paragraph-7 of the counter affidavit, the present application stands disposed of.

(Rajesh Kumar Verma, J)

Ranjeet/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	01.02.2025
Transmission Date	

