

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4735 of 2024

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Pramod Kumar Singh Son of Jagnarayan Singh, Resident of Village- Saidpur,
Dighwara, P.S- Dighwara, District- Saran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Govt. of Bihar, Patna.
2. The Principal Secretary, Department of Mines and Geology, Govt. of Bihar, Patna.
3. Director, Mines and Geology Department Govt of Bihar, Patna.
4. Commissioner, Saran, Chapra.
5. The District Magistrate -Cum-Collector, Saran.
6. The Superintendent of Police, Saran, Chapra.
7. The District Mines Officer, Saran, Chapra.
8. Mines Development Officer, Saran, Chapra.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Dhananjay Mishra, Advocate
For the Respondent/s : Mr.Government Pleader-24

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL JUDGMENT

Date : 25-02-2025

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

2. The present writ application has been filed for the
following reliefs:

(I) For issuance of a writ appropriate in nature to issue
the challan in favour of petitioner for dealing the yellow sand for
which the petitioner has deposited the security money being a
contractor for the same.



(II) For issuance of a writ with a direction to return the security money with compound interest where the mining department having malafide intention with petitioner and harassing in this regard.

(III) For expansion of period for dealing with extended period challan.

(IV) Any other relief/reliefs for which the petitioner is entitled be also given to him.

3. Learned counsel for the petitioner submits that the petitioner is a Contractor having the “K” Licence No.26/2021 (Old) and 07/2022 (New) and the petitioner has deposited the amount in the account of Mining Department on 05.07.2022 at for allotment of yellow sand at the Ganga river bank at Bodha Chhapra but he has not lifted the sand in question due to some disturbance by the Mafia. Learned counsel for the petitioner submits that the petitioner has prayed for issuance of Challan stating the fact that he has deposited Rs.3,99,16,462/- (Rs. Three Crores Ninety Nine Lacs Sixteen Thousand Four Hundred Sixty Two) in the office of Mining on 03.08.2021 and the period may be extended and Challan may be issued with immediate effect and he has given representation before the respondent No.2. Thereafter the respondent No.7 has issued a letter directing the S.H.O.,



Dighwara to take appropriate step for cooperating the petitioner who has got order for carry the unclaimed seized sand for 451219 C.F.T. yellow sand. The Mining Officer vide letter No.3466 dated 05.07.2023 had directed for extension of duration was granted for 60 days as a last chance with condition to ascertaining about illegal mining and transportation of sand. Learned counsel for the petitioner submits that the Challan issued by the Mines Department is not up to 451219 C.F.T. yellow sand.

4. Learned counsel for the Mines Department has filed a counter affidavit stating therein that in compliance of the order of the Mining Development Officer, the petitioner has given a number of Challan which has annexed as Annexure-R/A Series with the counter affidavit on behalf of the Mines Department and despite of issuance of valid Challan and extension of time for further sixty days the petitioner has not lifted the sand in question from the site in question and the petitioner has demand the refund of amount in question which has deposited initially at the time of participation in the bid in question.

5. Having heard the learned counsel for the parties and perused the documents available on the record, it appears that at the request of the petitioner, the officer concerned of the Mines Department has issued a number of valid challans in favour of the



petitioner but despite of that, the petitioner has not lifted the sand in question from the site in question and now he has demanded the refund of amount in question from the Mines Department.

6. No case is made out for interference of this Court in the present writ application. It is, accordingly, dismissed.

(Rajesh Kumar Verma, J)

Nitesh/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	25.02.2025
Transmission Date	NA

