

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7686 of 2024

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Nooruddin @ Nooruddin Ahmad Son of Late Samshuddin Ahmad, Resident of Village- Vijaypur, P.O. - Rampur Daud, P.S. - Kuchaikot, District - Gopalganj.

... .. Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Transport Department.
2. The Mines Commissioner Mines and Geology Department, Bihar, Patna.
3. The Collector/District Magistrate, District - Gopalganj.
4. The Mines Development Officer, Gopalganj.
5. District Transport Officer, Gopalganj.
6. The SHO, Mirganj, P.S. District- Gopalganj.

... .. Respondents

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Appearance :

For the Petitioner	:	Mr. Dhananjay Kumar, Advocate
For the Mines Deptt.	:	Mr. Naresh Dikshit, Advocate
For the State	:	Mr. Madan Mohan, AC to SC-5

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 21-01-2025 Heard the learned counsel for the petitioner, the learned counsel appearing on behalf of Mines Department and the learned counsel appearing on behalf of the State.

2. Learned counsel for the petitioner submits that the vehicle in question bearing vehicle no. BR31G7503 (10 wheeler truck; Hyva) belongs to the petitioner and petitioner is directed to pay Rs. 2,64,805/- (Rupees two lakhs sixty-four thousand eight hundred and five only) for the estimated amount of 594 CFT stone chips and then 650 CFT estimated stone chips for payment of Rs. 3,33,930/- (Rupees three lakhs thirty-three



thousand nine hundred and thirty only) within a period of ten days.

3. Learned counsel for the petitioner submits that earlier the petitioner has filed a writ petition bearing C.W.J.C. No. 12159 of 2022 for the same relief, but the same was withdrawn by the petitioner with a liberty to agitate the matter before the appropriate authority.

4. Learned counsel for the petitioner submits that pursuant to the direction of this Court in C.W.J.C. No. 12159 of 2022, petitioner filed an appeal before the Collector / District Magistrate, Gopalganj and he, after hearing the parties, has rejected the appeal of the petitioner *vide* order dated 07.07.2023. Thereafter, the petitioner has assailed the order of the District Magistrate before the Divisional Commissioner in Appeal No. 04 of 2023, but the appeal of the petitioner was rejected by the Divisional Commissioner *vide* order dated 17.10.2023.

5. Learned counsel for the Mines Department submits that thereafter, confiscation proceeding has been initiated against the petitioner and notice has been issued against the petitioner *vide* order dated 07.10.2023 and despite of notice, the petitioner has not participated in confiscation case no. 1655 of 2023.



6. In view of the aforesaid, petitioner is given a liberty to agitate all issues before the authority concerned in the confiscation case no. 1655 of 2023.
7. With the aforesaid liberty, the writ petition stands disposed of.

(Rajesh Kumar Verma, J)

Shahnawaz/-

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