

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6003 of 2025

Sanjay Kumar Son of Mahesh Prasad, Resident of Village Chandisthan, P.O. Dariaura, P.S. Amas, Distt. Gaya, Bihar 824211.

... .. Petitioner/s

Versus

1. The State of Bihar through Chief Secretary, Government of Bihar, Patna.
2. The Additional Chief Secretary, Mines and Geology, Bihar, Patna.
3. The Collector, Gaya.
4. The Senior Deputy Collector-cum-in Charge, Mines Development Officer, Gaya.
5. The State Environment Impact Assessment Authority (SEIAA), Bihar through its Member Secretary, 2nd Floor, Beltron Bhawan, Shastri Nagar, Patna- 800023.
6. Regional Officer, Bihar State Pollution Control Board, Gaya.
7. Director, Department of Mines and Geology, Government of Bihar, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Deepak Kumar, Adv
For the State	:	Mr. Akash Raj, Adv
For the SEIAA	:	Mr. Kumar Ravish, Adv
For the Mines Dept.	:	Mr. Naresh Dikshit, Spl. P.P.
		Mrs. Kalpana, Adv

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

2 22-04-2025 Heard Mr. Deepak Kumar, learned counsel for the petitioner, Mr. Kumar Ravish, learned counsel for the respondent no. 5 i.e. State Environment Impact Assessment Authority and Mrs. Kalpana, learned counsel for the Mines Department and Mr. Akash Raj, learned counsel for the State.

2. In the present writ application, the petitioner has prayed for the grant of following reliefs:-

(i) For issuance of writ or order or



direction in the nature of certiorari for the quashing and setting aside the Letter bearing No. 437 dated 10.02.2025 (Annexure P/5) and Letter bearing No. 772 dated 17.03.2025 (Annexure P/7) issued by the Mines Development Officer, Gaya and Collector, Gaya respectively vide which the petitioner has been directed to start the mining work as per NIT whereas the petitioner has been allowed for excavation of sand for the depth of one meter instead of three meter as originally allowed in reference to Letter No. 5512 dated 29.11.2022;

(ii) For the issuance of an appropriate writ(s)/ order(s)/direction(s) to the Respondent that if the volume of lifting of sand is reduced as per diction of Respondent SEIAA from 3 meter to 1 meter, then the royalty tax may be charged commensurate to the said deduction/reduction made in lifting of sand;

(iii) For issuance of an appropriate writ(s), order(s), direction(s) to the Respondent that alternatively, if the amount of royalty would not be reduced, then the amount of security money deposited by the Petitioner as per terms and conditions, be refunded to the petitioner and he may be permitted to lift the sand upto one meter;

(iv) For grant of any other relief or reliefs to which the petitioner is found entitled in the facts and circumstances of this case.

3. For claiming the aforesaid reliefs, the petitioner has



already filed a representation dated 25.02.2025 before the Collector, District-Gaya with a copy marked to the Director, Department of Mines and Geology, Government of Bihar, Patna. The petitioner submits that he would be satisfied if a direction is issued to the Director, Department of Mines and Geology, Government of Bihar, Patna to dispose of his representation within a fixed time frame.

4. The petitioner by mistake did not make the Director, Department of Mines and Geology, Government of Bihar, Patna a party-respondent in the present case. He is permitted to add the Director, Department of Mines and Geology, Government of Bihar, Patna as a party-respondent during course of the day.

5. With the consent of all parties, this writ application is disposed of directing the Director, Department of Mines and Geology, Government of Bihar, Patna to decide the representation filed by the petitioner dated 25.02.2025 on merit after giving an opportunity of hearing to all concerned. The final order passed by the Director, Department of Mines and Geology, Government of Bihar, Patna shall be a reasoned and speaking order.

6. This entire exercise must be completed within three



months from the date of production of copy of this order.

7. With the aforesaid observation/direction, the present writ application stands disposed of.

(Alok Kumar Sinha, J)

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