

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7568 of 2025

Chandra Shekhar Prasad Son of Late Chathu singh, residetn of village- Bihta,
P.S. Imadpur, District - Bhojpur.

... .. Petitioner

Versus

1. The State of Bihar through the Additional Chief Secretary, Mines and Geology Department, Govt. of Bihar, Patna.
2. The Managing Director , Bihar State Mining Corporation Limited, Patna (Bihar).
3. The Assistant Director, Mining Department, Bhojpur (Ara).
4. The Mining Inspector, District Mining Office, Bhojpur Ara.

... .. Respondents

Appearance :

For the Petitioner/s	:	Mrs. Malti Kumari, Advocate
For the State	:	Mr. Government Pleader (25)
	:	Mr. Upendar Prasad Singh, AC to GP-25
For Mines Dept.	:	Mr. Naresh Dikshit, Advocate
	:	Ms. Kalpana, Advocate

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

2 17-06-2025 Heard learned counsel Mrs. Malti Kumari for the petitioner, learned counsel AC to GP-25 Mr. Upendar Prasad Singh for the Respondent-State and learned counsel Mr. Naresh Dikshit for the Mines Department.

2. The petitioner has prayed for the grant of following reliefs:-

This is an application for issuance of appropriate writ/writs, order/orders, direction/directions for quashing the order contained in letter no. 722 dated 10.03.2025 issued under the signature of Respondent No.3 (The Assistant Director),



whereby and whereunder tractor of petitioner having Registration No. BR03GB3485, Chasis No. MBNAG48ACMTA71425, Engine No. 331008/SDA00392, which was said to be seized with sand on 28.01.2025 and respondent no.3 imposed a penalty of Rs. 113282.00 without ascertaining the fact that the person who hired the tractor to carry the sand fled away and left the tractor and without taking any action on said person, penalty has been imposed upon the petitioner. Petitioner further seeks Hon'ble Court's indulgence to release the tractor in his favour by taking into consideration that the person who hired the tractor, loaded the sand however on seeing the police personnel, he fled away and petitioner became victim of the circumstances. Petitioner further seeks any other relief/reliefs for which petitioner is found entitled in the eye of law and in the facts and circumstances of the present case.

3. Learned counsel for the petitioner submits that he is a poor person and therefore he is not in a position to pay the penalty of Rs. 1,13,282/- in one go for release of his seized vehicle and, therefore, prays for depositing the said penalty in four equal monthly installments.

4. Learned counsel appearing for the Mines Department does not oppose the prayer made by the learned



counsel for the petitioner.

5. Under the aforesaid circumstances, this writ application is disposed of directing the petitioner to deposit the penalty amount of Rs. 1,13,282/- in four equal monthly installments starting from 1st July, 2025. After all the installments have been paid by the petitioner, the respondent no. 3 is directed to release the seized vehicle/tractor bearing Registration No. BR03GB3485, Chasis No. MBNAG48ACMTA71425, Engine No. 331008/SDA00392 in favour of the petitioner within one week of the deposit of the fourth installment. It is made clear that if the petitioner fails to deposit any of the installments then the vehicle shall not be released in favour of the petitioner.

6. Under the aforesaid observation and direction, the present writ application shall stand disposed of. All Interlocutory Applications pending, if any shall stand disposed of.

(Alok Kumar Sinha, J)

Gaurav Sinha/-

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