

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10543 of 2024

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Rajesh Kumar Singh Son of Late Lal Bahadur Singh Resident of Village-
Awadh nagar, Vishunpur, P.S.- Jadavpur, District- Gopalganj.

... .. Petitioner/s

Versus

1. The State of Bihar through its Additional Chief Secretary, Department of Mines and Geology, Bihar, Patna.
2. The Additional Chief Secretary, Department of Mines and Geology, Bihar, Patna.
3. The District Magistrate, Bhojpur, Ara.
4. The Superintendent of Police, Bhojpur, Ara.
5. The Mineral Development Officer, Bhojpur, Ara.
6. The Officer In-charge, Chandi, P.S.- Bhojpur, Ara.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Priya Ranjan, Advocate
For the State	:	Mr. Standing Counsel 24
For the Mines	:	Mr. Naresh Dikshit, Spl. P.P.

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 25-02-2025 Heard Mr. Priya Ranjan, learned counsel for the

petitioner, Mr. Naresh Dikshit, learned Spl. P.P. for the Mines

Department and learned counsel appearing on behalf of the

State.

2. The present writ petition has been filed for the

following reliefs;

(I) For direction upon the respondent
authorities to release the vehicle of the
petitioner a truck bearing Reg. No.
BR28GA-7609 (12 Wheeler) which has
been seized illegally and wrongly relating
to which no case is pending in any court of



law till the date.

(II) For quashing order dated 08.04.2024 issued by the Mining Inspector, Bhojpur, Ara to the Officer In-charge by which Rs. 2,74,375/- has been imposed as penalty/fine against the above said truck through no order has been served on the petitioner who is the owner of the vehicle and that too the order has been issued by incompetent authority who is not having jurisdiction to impose penalty that to without getting the said vehicle weight any weighbridge.

(III) For issuance of a writ direction to initiate appropriate departmental action against the guilty officials who have illegally seized the abovesaid vehicle without any reason and without verifying any fact.

(IV) For a direction to the respondent authorities to compensate the petitioner for the loss suffered to him due to abovesaid wrongful and illegal seizure of the vehicle as well as loss of livelihood during to seizure of the vehicle.

(V) For grant of any other reliefs for which the petitioner may find entitled to.

3. Learned counsel for the petitioner submits that although the vehicle of the petitioner has been released by the Collector in Case No. 198 of 2024 and apart from that learned



Collector has also recorded in his order that in the facts and circumstances of the case the fine is not proper to impose upon the petitioner. It is admitted fact that the vehicle in question of the petitioner was laying before the authority concerned for more than nine months and he has requested the department to fix the responsibility upon the officer concerned.

4. Learned counsel for the petitioner submits that in view of the aforesaid the petitioner may be given the liberty to file a damages suit before the appropriate forum in accordance with law, if so advised.

5. With the aforesaid liberty/direction, the writ petition stands disposed of.

(Rajesh Kumar Verma, J)

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