

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12112 of 2025

M/s New Bhawani Food Products Meghpur, P.O.- Singhara, P.S- Mahua,
District- Vaishali- 844126 through its proprietor Ms. Reena Devi, Aged about
38 years, Wife of Pappu Kumar Singh, Resident of Meghpur, P.S.- Mahua,
District- Vaishali.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Mining Department, Govt. of Bihar, Patna.
2. The Additional Chief Secretary, Mining Department, Government of Bihar, Patna.
3. The Divisional Commissioner, Muzaffarpur.
4. The District Magistrate, Vaishali.
5. The Mining Officer, Vaishali.
6. The Mineral Development Officer, Vaishali.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Kanishk Kaustubh, Advocate
For the State	:	Mr. Mujtabaul Haque, GP-12
		Mr. Pranoy Kumar, AC to GP-12

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

4 02-12-2025 Heard learned counsel for the petitioner; learned
counsel for the State and learned counsel for the Mining
Department.

2. The petitioner has moved the Court for the
following reliefs:-

*“For setting aside the order contained
in letter No. 1184 Dated 25.10.2024 as well as
order contained in Letter No. 444/M. dated
19.05.2025 both issued with the signature of
Mineral Development Officer, Vaishali whereby
penalty of Rs. 111825/- has been directed to be
paid in the Mining Head "0853" otherwise
certificate proceeding shall be initiated.”*

3. By the impugned order dated 25.10.2024, a penalty
of Rs. 1,11,825/- has been imposed upon the petitioner without



issuing any show cause notice and without hearing the petitioner.

4. The aforesaid fact is admitted that the petitioner was never issued any show cause notice before imposition of the penalty by the Mining Department.

5. In these circumstances, the aforesaid order is held to be illegal as the same has been passed in complete violation of principles of natural justice.

6. Accordingly, this application is allowed.

7. The impugned order dated 25.10.2025 as well as order dated 19.05.2025 are hereby quashed.

8. If the petitioner is issued show cause again, the petitioner can raise all the grounds including the grounds of jurisdiction and if such grounds are raised, the same shall be considered and decided after hearing the petitioner.

9. Pending Interlocutory Application(s) is disposed of with liberty to the petitioner to file an appropriate application in this Court for quashing the FIR.

(Sandeep Kumar, J)

P. Kumar

U			
---	--	--	--

