

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12387 of 2025

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M/s Glowell Foams, registered Office 101, Ashiana Vihar Apartment, Rajendra Path, P.O- G.P.O., P.S-Gandhi Maidan, District-Patna,-800001, Factory address Plot No. A-1, A-2, A-3, A-4, B-1, Industrial Area Phase -1 Goraul, Vaishali (Bihar) through its partner Mr. Rahul Kejriwal, Aged about 39 years, Male, Son of Kailash Prasad Kejriwal, Resident of 101, Ashiana Vihar Apartment, Rajendra Path, P.O- G.P.O., P.S-Gandhi Maidan, District-Patna,-800001

... .. 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,(Hajipur) Vaishali.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Dilip Kumar
For the State	:	Ms. Dimpal Kumari, AC to GP-11

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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. 1180 dated 25.10.2024 as well as order contained in Letter No. 1353/M dated 27.12.2024 both issued with the signature of Mineral Development Officer, Vaishali whereby penalty of Rs. 12,41,875/- (Twelve Lakh Forty-One Thousand Eight hundred Seventy-five) 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. 12,41,875/- 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. This application is allowed.

7. The impugned order dated 25.10.2024 as well as the the order dated 27.12.2024 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 ground is 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)

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