

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14665 of 2025

=====

Rajiv Ranjan Singh Son of Ram Bachan Singh, Resident of Village Veer
Kuwar Singh Nagar, Katira, P.S. Nawada, District, Bhojpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Mines and Geology Department, Government of Bihar, Vikas Bhawan, Bailey Road, Patna.
2. The Principal Secretary cum Mines Commissioner, Mines and Geology Department, Government of Bihar, Vikas Bhawan, Bailey Road, Patna.
3. The Director, Mines and Geology Department, Government of Bihar, Vikas Bhawan, Bailey Road, Patna.
4. The District Magistrate, Bhojpur.
5. The Mineral Development Officer, Bhojpur.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s	:	Mr. Suraj Samdarshi, Advocate Mr. Avinash Shekhar
For the Respondent/s	:	Mr. Government Advocate (08)
For the Mines	:	Mr. Naresh Dikshit, Spl. PP Mr. Brij Bihari Tiwari, Advocate Ms. Shruti Singh, Advocate

=====

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

8 11-12-2025 Heard the learned counsel for the petitioner, the

learned counsel for the State and the learned Spl. PP for the

Mines Department.

2. This writ petition has been filed on behalf of the

petitioner seeking the following relief(s):-

- i) To issue an appropriate writ, order or direction in the nature of mandamus commanding the Respondents to refund Rs. 2,51,10,000/- deposited by the Petitioner as Security Deposit for settlement of Bhojpur Sand Ghat no. 02, considering the fact that State Environment Impact*



Assessment Authority, Bihar has rejected the petitioner's proposal for grant of Environment Clearance vide Ref No. 178 dated 24.04.2024;

- ii) This Hon'ble Court may adjudicate and hold that since the State Environment Impact Assessment Authority, Bihar has rejected Petitioner's proposal for grant of environment clearance, which is an essential prerequisite for conducting mining activity under Rule 18 (2); Rule 28 and Rule 29(A)(1)(e) of the Bihar Minerals (Concession, Prevention of Illegal Mining, Transportation & Storage) Rules, 2019, the petitioner is entitled for refund of Rs. 2,51,10,000/-deposited as Security Deposit for settlement of Bhojpur Sand Ghat no. 02;*
- iii) This Hon'ble Court may further adjudicate and hold that since the State Environment Impact Assessment Authority, Bihar, has rejected petitioner's proposal for grant of environment clearance for Bhojpur Sand Ghat no. 02, the performance of contract arising out of letter of intent contained in letter no. 4309 dated Alishal 19.10.2022 and in principal approval contained in letter no. 4382 dated 28.10.2022 has become impossible on the part of the petitioner leading to frustration of contract and therefore the petitioner is entitled to refund of security deposit of Rs. 2,51,10,000/- deposited for settlement of Bhojpur Sand Ghat no. 02;*
- iv) This Hon'ble Court may further adjudicate and hold that petitioner cannot be penalised for non-issuance of environment clearance by State Environment Impact Assessment Authority, Bihar for carrying on mining activity;*
- v) This Hon'ble Court may further adjudicate and hold that the action of the Respondents in not refunding the security deposit to the petitioner is highly illegal,*



arbitrary and unreasonable.

3. The learned counsels for the parties have submitted that the payment has been made to the petitioner and the instant writ petition has become infructuous.

4. In that view of the matter, this application is dismissed as infructuous with liberty to the petitioner to approach the appropriate forum for payment of interest.

(Sandeep Kumar, J)

Shishir/-

U			
---	--	--	--

