

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17906 of 2024

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Manoj Kumar Kranti S/o Late Sikandar Yadav, R/o Rajaun, P.O.-Rajoun, P.S.-
Rajoun, District-Banka.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary Mines and Mineral
Department, Govt. of Bihar, Patna.
2. The District Magistrate, Banka.
3. The District Collector, Banka.
4. The District Sub Registrar, Banka.
5. The Mines Development Officer, Banka.
6. The Mines Inspector, Banka.
7. The Superintendent of Police, Banka.
8. The Mines Commissioner Mines and Mineral Development, Old Secretariat,
Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Rajive Ranjan Singh, Advocate
For the Mines Dept.	:	Mr. Naresh Dikshit, Spl. P.P.
For the Respondent/s	:	Mr. Standing Counsel-25

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL JUDGMENT

Date : 16-01-2025

Learned counsel for the petitioner is directed to implead
the Mines Commissioner, Mines and Minerals Department, Old
Secretariat, Patna as respondent no. 8 in course of the day.

2. Heard learned counsel for the petitioner, learned
counsel appearing on behalf of the Mines Department as well as
learned counsel for the State.



3. The present writ petition has been filed for the following reliefs :

“(i) For quashing the Letter No. 1124 dated 03.10.2024 passed by the respondents.

(ii) For quashing the Letter No. 639 dated 18.06.2024 passed by the respondents.

(iii) For directing to the respondents to return the security amount which was deposited as per agreement of lease.

(iv) For any other relief/relieves which is entitled the petitioner according with Law.”

4. Learned counsel for the petitioner submits that the petitioner has taken lease for executor of stone in accordance of Mines and Mineral Rules and thereafter the agreement of lease was prepared according with law between the petitioner's Company and the Minesw Department on 28.02.2017. He further submits that after the agreement the petitioner has deposited the security money of Rs. 60,00,000/- as per agreement and thereafter the Department had issued Transport Chalan in favour of the petitioner but the same was looted by the miscreants and for that the petitioner has filed a case bearing Shambhuganj P.S. Case No. 192 of 2018.

5. Learned counsel for the petitioner further submits that the Department has not act as per agreement dated 28.02.2017



and apart from that the Department has imposed the penalty upon the petitioner to the tune of Rs. 6,21,14,950/- (Six Crores Twenty One Lakhs Fourteen Thousand and Nine Hundred Fifty Only) and apart from that the respondents had also issued an order dated 18.06.2024 by which the respondent has directed to the authority concerned to file a case against the petitioner under the Bihar and Orissa Public Demand Recovery Act, 2014.

6. Mr. Naresh Dikshit, learned Special P.P. for the Mines Department outrightly submits that both the orders are appellable before the newly added respondent no. 8 (Mines Commissioner) and the petitioner is directed to file statutory appeal before the Mines Commissioner, Mines and Minerals Department, Old Secretariat, Patna (respondent no. 8) within a period of four weeks, if so advised.

7. With the aforesaid directions, the writ petition stands disposed of.

(Rajesh Kumar Verma, J)

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AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	18.01.2025
Transmission Date	N.A.

