

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.18493 of 2023**

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Raghuveer Singh S/o Bhola Singh, Resident of Village- Nayagaon Rajput  
Tola, P.S.- Parbatta, Distt- Khagaria.

... .. Petitioner/s

Versus

1. The State of Bihar through the District Mines Officers Munger cum Begusarai.
2. The Commissioner cum Secretary, Mines and Geology Department, Government of Bihar, Patna.
3. The District Mines Officer, Munger cum Begusarai, District- Mines and Geology Department, Munger.
4. The District Certificate Officer, Khagaria, Mines and Geology Department, Anchal Khagaria cum Deputy Director Mines and Geology Department, Anchal Munger.
5. The Circle Commercial Tax Officer, the Office of the Circle Commercial Tax Officer, Khagaria.

... .. Respondent/s

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**Appearance :**

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| For the Petitioner/s | : | Mr. Ram Jiban Pd. Singh, Advocate<br>Mr. Bhim Kumar Yadav, Advocate                 |
| For the State        | : | Mr. Santosh Chandra Bhaskar, A.C. to G.P.-11<br>Mr. Kapileshwar Pd. Yadav (G.P.-11) |
| For the Mining       | : | Mr. Naresh Dikshit, Advocate                                                        |

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**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA**  
**ORAL ORDER**

2      17-11-2025                      Heard learned counsel for the parties concerned.

2. The petitioner has filed the present writ application being aggrieved by the notice dated 07.08.2023, passed by the Certificate Officer, Khagaria in Certificate Case No. 19 of 2010-2011 for recovery of sum of Rs. 220000/-.

3. Mr. Ram Jiban Pd. Singh, learned counsel appearing for the petitioner submits that petitioner is not



the owner of brick kiln. The Circle Commercial Tax Officer made enquiry in presence of witnesses and submitted a report on 12.05.2010 in which he has found that the brick kiln was being run by its owner, namely, Sri Hira Lal Mandal, resident of Maraiya on the *raiyati* land in the name and style of Rana Int Bhattha situated at Kurhadhar south of Maraiya, Parbatta. The petitioner has filed his objection in this regard before the Certificate Officer vide Annexure-3, dated 10.05.2012.

4. On the other hand, learned counsel for the State submits that report relied upon by the Commercial Tax Officer, is false and fabricated in order to evade the payment of royalty amount for which certificate case has been lodged against the petitioner. The petitioner is a real owner who has been running the brick kiln from the land in question and is producing a large quantity of brick.

5. Having heard learned counsel for the parties and taking into consideration the fact that objection filed by the petitioner under Section 9 before the Certificate Officer, has not been decided, accordingly, this writ application is disposed with direction to the Certificate Officer to decide



the objection of the petitioner in accordance with law after giving opportunity of hearing to him within a reasonable time frame preferably within a period of three months from today.

**6.** The present writ petition stands disposed of.

**(Anil Kumar Sinha, J)**

Siwani/-

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