

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17132 of 2023

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M/s Nikesh Kumar Constructions (MSNIKESHK) through its Partner Nikesh Kumar, Gender-Male, Aged about 37 years, S/o - Hari Nandan Prasad Sharma, Permanent Resident of - Abu Lodipur, P.S. - Janipur, District- Patna, 801505.

... .. Petitioner/s

Versus

1. The State of Bihar through Additional Chief Secretary, Department of Mines and Geology, Government of Bihar, Patna.
2. The Bihar State Mining Corporation Limited, through its Managing Director.
3. The Director Mines-cum-CEO, Bihar State Mining Corporation Limited, Patna.
4. The General Manager, Bihar State Mining Corporation Limited, Patna.
5. The Administrative Officer, Bihar State Mining Corporation Limited, Patna.
6. The District Collector, Jamui.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Shambhu Narayan Singh, Advocate
For the Respondent/s	:	Mr. Gyan Prakash Ojha, GA-7
For the Mines Dep.	:	Mr. Naresh Dikshit, Spl.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 25-02-2025 Heard learned counsel for the petitioner, learned counsel for the State and learned counsel for the Mines Department.

2. Learned counsel for the Mines Department has taken a preliminary objection with regard to maintainability of the writ petition and submits that in terms of the Rule 67 (2) of the Bihar Minerals (Concession, Prevention of Illegal Mining, Transportation and Storage) Rules 2019, the petitioner may file a statutory appeal before the authority concerned.



3. Learned counsel for the petitioner submits that in view of the aforesaid, the petitioner may be given a liberty to file the appeal within a period of 30 days from today.

4. In view of the aforesaid, if the petitioner files the statutory appeal before the authority concerned within the aforesaid period, then, the authority concerned is directed to hear the appeal and disposed of in accordance with law after hearing all the concerned within a period of three months thereafter, from the date of filing of such appeal.

5. With the aforesaid direction/liberty, this writ application stands disposed of.

(Rajesh Kumar Verma, J)

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