

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2617 of 2026

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Kunal Kumar Son of Pravin Kumar @ Pravin Kumar Singh Resident of
village- Dhob Ghat, P.O.- Gidhaur, Police Station- Khaira, District- Jamui.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Mines and Geology Department, Bihar, Patna.
2. The Director, Mines and Geology Department, Bihar, Patna.
3. The District Magistrate-cum-Collector, Jamui.
4. The District Mining Officer, Jamui.
5. Gagan Kumar, Son of name not known, Resident of village- Sikandra, Police Station and District- Jamui.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Jitendra Prasad Singh, Senior Advocate Mr. Varun Krishna Singh, Advocate
For the Respondent/s	:	Mr. Addl. Advocate General (04)
For the Mines	:	Mr. Naresh Dikshit, Spl.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 23-04-2026 Heard Learned Senior counsel for the petitioner,

learned counsel for the Mines Department beside the State.

2. The present petition has been preferred for the
following relief(s):

*“A. For issuance of a writ in the nature
of mandamus directing the respondents not to
excavate Sand from Maura Sand Ghat (River
Barnal) situated at Gram Panchayat, Maura,
Block-Gidhaur within the district of Jamui which
has been settled in favour of Respondent No.5 with*



work order effected from 31.12.2025 as the same is against the interest of waterbody as well as farmers of the locality.

B. For restraining the respondent No.5 from excavation of the Sand from the Maura Sand Ghat, Gidhaur, Jamui in violation of the terms and conditions stipulated under the tendered document as well as in violation of the Mines and Minerals (Development and Regulation) Act, 1957 and Rules, 2017 framed under the Act.

C. For direction to the respondents to consider and decide the representation filed by the petitioner and other villagers including farmers of the locality ventilating their grievances in this regard.

D. For grant any other relief/reliefs for which the petitioner is legally entitled in the facts and circumstances of the case.”

3. Despite the fact that the Collector, Jamui made correspondence with the Director, Mines and Minerals Department, Bihar, Patna vide memo no. 419 dated 07.06.2018 highlighting the issue of the locals that sand mining (Maura



Sand Ghat in the district of Jamui) will affect the movement of the water/farmers, the concerned department has once again settled the said Ghat with respondent no. 5.

4. Learned counsel for the Mines Department submits that as the admitted fact is that the Ghat has been settled with respondent no. 5, it would be appropriate that the petitioner move before the Director, Mines and Geology Department (respondent no. 2) who shall be hearing all the parties including the District Officials/Collector, Jamui and/or his/her representative and the respondent no. 5 before taking a decision.

5. The learned Spl.P.P. Mines has made a valid and just point, the local officials as also the respondent no. 5 in whose favour the land has been settled have to be noticed, and thereafter, a decision has to be taken.

6. This Court is further of the opinion that the Director Mines and Geology Department, Bihar, Patna must get a ground report from the Collector, Jamui in the matter before taking a decision and a reasoned order has to be passed at an earliest.

7. Learned State counsel submits that a letter will also sent to the office of the Collector, Jamui to take cognizance of the matter and if required, to submit a detailed inquiry report to



be presented before the Director, Mines and Geology
Department, Bihar, Patna.

8. The writ petition stands disposed of with the
aforesaid observation.

(Rajiv Roy, J)

Adnan/-

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