

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2069 of 2026

Raj Construction Village- Pipra Bangla, Mauja Name- Pipra Bangla, Mauja No- 93, Block- Arwal, P.S.- Arwal, Dist. Arwal through its Proprietary namely Raj Kumar, (M), aged about- 42 years S/O Nand Kishore Prasad, resident of Village- Baidrabad, P.O.- Baidrabad, P.S.- Arwal, District- Arwal.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Department of Mines and Geology, Government of Bihar, Patna.
2. The Secretary, Department of Mines and Geology, Government of Bihar, Patna.
3. The Director, Department of Mines and Geology, Government of Bihar, Patna.
4. The District Magistrate, Arwal.
5. The Mineral Development Officer, District Mining Office, Arwal.
6. The Mining Inspector, District Mining Office, Arwal.
7. The Office-in-Charge, Arwal Police Station, Arwal.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Prashant Kumar, Advocate
	:	Mr. Manish Kumar, Advocate
For the State	:	Mr. Standing Counsel (04)
For the Mines Dept.	:	Mr. Naresh Dikshit, Spl. PP Mines
	:	Ms. Shruti Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 23-04-2026 Heard Mr. Prashant Kumar, learned counsel for the petitioner and Ms. Shruti Singh, learned counsel representing the Mines Department.

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

“(i) for issuance of a writ in the nature of Mandamus for quashing the arbitrary and illegal action of the respondent authorities in



blocking/closing the petitioner's I.D. and password appertaining to its sand Storage License without any notice opportunity of hearing.

(ii) for quashing the letter no. 5645 dated 07.10.2025, so far as it relates to the petitioner, by which a direction has been issued to take punitive action against all K-license holders for alleged ground of unauthorized sale beyond the permissible limit is false, baseless, and without evidentiary support, especially when no stock of sand existed at the petitioner's site at the relevant time.

(iii) for issuance of a writ in the nature of mandamus. commanding and directing the respondent authorities to immediately restore the petitioner's I.D and password and allow him to carry on lawful business under his valid license.

(iv) for holding that the alleged ground of unauthorized sale beyond the permissible limit is not all applicable in the case of petitioner.

(v) for issuance of such other order or



direction as the petitioner may be found entitled to in the facts and circumstances of the instant case.”

3. An order has been passed by the Mineral Development Officer, Arwal communicated vide memo no. 329 dated 07.02.2026.

4. The counter affidavit is on record duly filed on behalf of the respondent nos. 1 to 6.

5. Learned counsel representing the Mines Department submits that the order in question is appealable before the Collector, Arwal (respondent no.4).

6. In that background, the writ petition is disposed of allowing the petitioner to approach the concerned Collector, Arwal in next four weeks and if such petition is filed, any delay in filing the appeal must be condoned as the petitioner was agitating the matter before the Patna High Court.

7. Any development that will take place in between shall be subject to the final outcome of the order passed by Collector, Arwal.

(Rajiv Roy, J)

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