

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3757 of 2025

Md. Umar Farooque Son of Md. Pesad Ali, Resident of Village- Barida
Rosna, P.S. Amdabad, District- Katihar.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary-cum-Mines Commissioner, Bihar, Patna.
2. The Managing Director, Bihar State Mining Corporation, Ltd. Bihar, Patna.
3. The Director, Bihar State Mineral Development Corporation, Ltd. Bihar, Patna.
The Addl. Secretary, Bihar State Mineral Development Corporation, Ltd. Bihar, Patna.
4. The Divisional Commissioner, Purnea, District- Purnea.
5. The District Magistrate, Katihar.
6. The District Mines Officer, Katihar.
7. The S.H.O., Amdabad, P.S. and District- Katihar.
8. Mahindra and Mahindra Financial Services Ltd, through its Authorized Officer, Ground Floor, Aditya Complex, Khesra No. 496/493 Mirchaibari, Katihar, Pin - 854105, Bihar.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Binay Kumar, Advocate
For the Mines Dept	:	Mr. Naresh Dikshit, Spl.P.P., Mines Ms.Shruti Singh, Advocate
For the BSMC Ltd.	:	Mr.Ranjeet Kumar Pandey, Advocate Mr.Rajest Kumar, Advocate
For the Respondent/s	:	Mr.Standing Counsel (15)

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

9 12-01-2026 Heard the parties.

2. The penalty of Rs. 10,00,000/- has been imposed against the petitioner by the District Mineral Development Officer, Katihar without hearing the petitioner and in a printed format.

3. In my opinion, such kind of printed order is in



complete violation of principles of natural justice and cannot be sustained, though the learned counsel for the Mining Department has tried to defend the order.

4. Considering the violation of principles of natural justice and the fact that the impugned order is in a printed format, this application is allowed and the impugned order, along with all subsequent proceedings including confiscation proceedings, is, hereby quashed.

5. The matter is remitted back to the District Mineral Development Officer, Katihar for fresh consideration in accordance with law after issuing an appropriate show-cause notice and granting due opportunity of hearing to the petitioner.

6. In the meanwhile, the J.C.B. machine bearing CH No. HAR 3DXSSE should be released in favour of the petitioner upon depositing a security amount of Rs. 10,00,000/- (Rupees Ten Lakh Only).

7. Learned counsel for the Mahindra and Mahindra Financial Services Ltd. has submitted that the matter has been settled between the petitioner and the Mahindra and Mahindra Financial Services Ltd. It has further been submitted that the petitioner has paid Rs. 1,10,000/- and he is further required to pay Rs. 1,50,000/- on or before 20.01.2026.



8.On the date of release the petitioner will furnish a No Objection Certificate (N.O.C.) issued by the Mahindra and Mahindra Financial Services ltd.

9. If the petitioner fails to get a N.O.C. from Mahindra and Mahindra Financial Services ltd. then, the vehicle in question shall be released in favour of Mahindra and Mahindra Financial Services ltd. on the same terms and conditions.

(Sandeep Kumar, J)

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