

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2437 of 2026

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Pramod Kumar Son of Kishori Rai, R/O village Daudpur Bachicha, P.S. Sahpur, District-Patna.

... .. 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 District Magistrate, Patna
4. The Mineral Development Officer, District Mining Office, Patna
5. The Mining Inspector, District Mining Office, Patna
6. The Officer-in-Charge, Naubatpur Police Station, Patna

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Rajnikant, Advocate
	:	Mr. Ujjwal Kant Panday, Advocate
For the State	:	Mr. Standing Counsel 22

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 23-04-2026 Heard the parties.

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

“(i) for issuance of an appropriate writ, order or direction, including a writ in the nature of Certiorari, for quashing the E-Challan dated 10.02.2025 issued by the Mineral Development Officer, District Mining Office, Patna, whereby and whereunder the petitioner's truck (L.P.K. 3118 BS-IV) bearing Registration No. BR-01GN-2096 has been illegally seized on 08.02.2025 without following due process of law, despite the



petitioner possessing a valid challan, and the respondent authorities have, till date, neither issued any seizure memo nor served any notice nor afforded any opportunity of hearing to the petitioner, in gross violation of the principles of natural justice.

(ii) for issuance of an appropriate writ, order or direction granting interim relief, directing the respondent authorities to forthwith release the petitioner's vehicle bearing Registration No. BR-01GN-2096 during the pendency of the present writ petition, on such terms and conditions as this Hon'ble Court may deem fit and proper.

(iii) for issuance of an appropriate writ, order or direction directing the respondent authorities to pay adequate compensation to the petitioner for the illegal seizure and unlawful detention of his commercial vehicle, resulting in financial loss and deprivation of livelihood.

(iv) for any other relief or reliefs for which the petitioner be found entitled in the eye



of law.”

3. The petitioner's vehicle having Registration No.BR-01GN-2096 stands seized on 08.02.2025 while moving from Vikram to Madhubani with a valid challan with sand on it. The reason for seizure is of overloading.

4. At the outset, learned Special PP Mines submit that the petitioner should move before the Mineral Development Officer, Patna (respondent no.4) who shall be passing the reasoned order in next four weeks.

5. In that background, the writ petition is disposed of allowing the petitioner to approach the respondent no.4, the Mineral Development Officer, Patna in next two weeks who shall be taken a decision in the matter in next six weeks.

6. The petitioner is free to put forward all the documents available under his belt to show that the movement was on a valid challan and there was no such overloading.

7. The writ petition is disposed of with the aforesaid observation.

(Rajiv Roy, J)

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