

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2998 of 2026

M/s Mini Max International, a proprietorship firm through its proprietor Prashant Chandra Jaiswal son of Gopal Prasad, resident of Near Hatwa Market, Bakerganj, Nageswar Colony, Opposite Thakur Bari Road, P.S. Pirbahore, District Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Mines and Geology Department, Government of Bihar, Vikas Bhawan, Bailey Road, Patna.
2. The Secretary cum Mines Commissioner, Mines and Geology Department, Government of Bihar, Vikas Bhawan, Bailey Road, Patna.
3. The Director, Mines and Geology Department, Government of Bihar, Vikas Bhawan, Bailey Road, Patna.
4. The Assistant Director, District Mining Office, Nawada.
5. The District Magistrate cum Collector, Nawada.
6. The Mineral Development Officer, Nawada.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Suraj Samdarshi, Advocate
For the Respondent/s	:	Mr.Jitendra Kumar (10)
For the Mines	:	Mr. Naresh Dixit, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 14-05-2026 Heard the parties.

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

(i) to issue an appropriate writ, order or direction in the nature of certiorari for quashing memo no. 1188 dated 10.06.2025 issued by the Respondent Collector, Nadawa whereby and where under petitioner's application seeking surrender of settlement



of Nawada Karanpur Sand Ghat No. 2 has been rejected and the security deposit of Rs. 5,04,00,000/- furnished by the petitioner for settlement of Nawada Karanpur Sand Ghat No. 2 has been forfeited on completely erroneous grounds;

(ii) to issue further appropriate writ order or direction in the nature of mandamus commanding the Respondents to accept the surrender of the settlement of Nawada Karanpur Sand Ghat No. 2 by the petitioner;

(iii) to issue further appropriate writ order or direction in the nature of mandamus commanding the Respondents to forthwith refund the security deposit of Rs. 5,04,00,000/- deposited by the petitioner for obtaining the settlement of Nawada Karanpur Sand Ghat No. 2;

(iv) during pendency of the writ application the Respondents should be restrained from demanding and recovering the royalty pertaining to third installment of the first



year the settlement of Nawada Karanpur Sand Ghat No. 2 from the petitioner;
(v) to grant any other relief or reliefs which the Petitioner may be found entitled to in the facts and circumstances of the case.

3. The matter relates to Nawada Karanpur, Sand Ghat No. 02 in the district of Nawada. The application of the petitioner for surrender of the settlement of the aforesaid Ghat was rejected and security deposit of Rs. 5,04,00,000/- has been forfeited.

4. The Collector, Nawada took up the matter of the petitioner and the petition preferred has been rejected vide memo no. 1188 dated 10.06.2025 (Annexure P-A to the petition).

5. Learned counsel for the petitioner submits that the mineral potential is unavailable there and, in that background, it is impossible to generate revenue for which the bid was accepted. He has taken this Court to an order passed in the case of **Nagendra Kumar vs. State of Bihar (CWJC 7128 of 2025)**, disposed of on **16.04.2026** had submit that the issue has already been decided in the said case.

6. Mr. Naresh Dixit, learned special P.P. Mines has



preliminary objection submitting that against the order passed by the Collector, Patna, the appeal provision is there before the Mines Commissioner, Bihar where the case of Nagendra Kumar (supra) shall also be considered besides the other points of the petitioner.

6. Having taken note of the submissions put forth by the parties, allowing the petitioner to file an appeal before the Mines Commissioner, Bihar where all the points raised by it has to be considered and incorporated/answered in the order in question.

7. Since the petitioner moved before this Court in the writ petition, if a proper petition is filed in next four weeks, the delay in filing the appeal shall be condoned.

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

(Rajiv Roy, J)

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