

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3792 of 2026

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Braham Dev Mahato son of Siya Ram Mahato, resident of ward no. 09,
village- Singhia Bugurz, Police Station- Bhibhutipur, District- Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar through its Secretary cum Mines Commissioner, Government of Bihar, Patna.
2. The Divisional Commissioner cum First Appellate Authority, Darbhanga.
3. The District Magistrate, Samastipur.
4. The District Public Grievance Redressal Officer, Samastipur.
5. The District Mining Office, Samastipur.
6. The Circle Officer, Bhibhutipur Circle, Samastipur.
7. The Mines Inspector, Samastipur.
8. The Station Head Officer, Bhibhutipur Police Station, Samastipur.
9. Ramlal Mahto son of Budhan Mahto resident of village - Singhia Buruz, Police Station- Bibhutipur, District- Samastipur.
10. Lalit Mahto son of Ramlal Mahto resident of village Singhia Buruz, Police Station- Bibhutipur, District- Samastipur.
11. Rambabu Mahto son of Late Mahendra Mahto resident of village -Singhia Buruz, Police Station- Bibhutipur, District- Samastipur.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Shakti Suman Kumar, Advocate
For the S t a t e	:	Ms Archana Meenakshee, GP VI
		Mr Rana Veer Prawar, AC to GP VI
For Mines Department	:	Ms Shruti Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 14-05-2026 Heard Mr Shakti Suman Kumar, learned counsel for

the petitioner and Ms Shruti Singh, learned counsel for the

Department of Mines besides the State.

2 This writ petition has been filed for the following
reliefs:

“i For issuance of an appropriate



writ in the nature of Mandamus directing the respondent authorities to stop the illegal mining of soil from the land of the petitioner situated at Mauza Singhia Burz, Khata No 152, Khesra No 11149 an area about 3 katha 1 dhur.

ii For issuance of an appropriate writ in the nature of Mandamus directing the respondent authorities to compensate the petitioner for illegal mining of soil from his land situated at Mauza Singhia Burz, Khata No 152, Khesra No 11149 an area about 3 khatha 1 dhur, which was done without his permission.

iii For issuance of an appropriate writ in the nature of Mandamus directing the respondents especially respondent No 5 and respondent No 8 to comply order dated 19.10.2023 passed by respondent No 4 (District Public Grievance Redressal officer, Samastipur) whereby direction was given to identify the person involved in illegal mining and take appropriate action against them according to the regulation.

iv Any other writ/writs, order/orders or direction/directions as the facts and circumstances of the case may require and deemed fit by this Hon'ble Court may also be issued."

3 The content in the wit petition and the counter affidavit filed by the Department of Mines show that there is private dispute between the petitioner and his agnate Veena Devi who entered into agreement with respondents No 9 to 11.

4 After some argument, learned counsel for the petitioner submits that he shall be approaching the competent



Civil Court for redressal of the grievance as contrary to the stand of the State respondents, the fact remains that his land has been used for mining purposes illegally.

5 Granting such liberty, the writ petition is disposed of.

(Rajiv Roy, J)

M.E.H./-

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