

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.3917 of 2026**

Rudra Mining LLP a limited liability partnership firm, through its Partner Vishwajeet Kumar, aged about 39 years (male), son of Visheshwar Prasad, resident of Village and PO-Pareo, P.S. Bihta, 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 Collector, Rohtas.
5. The Assistant Director, District Mining Office, Rohtas.
6. The Mineral Development Officer, District Mining Office, Rohtas.

... .. Respondent/s

**Appearance :**

|                      |   |                                          |
|----------------------|---|------------------------------------------|
| For the Petitioner/s | : | Mr.Avinash Shekhar, Advocate             |
| For the State        | : | Ms. Vijaya Laxmi Srivastava, AC to SC-23 |
| For the Mines        | : | Mr. Naresh Dikshit, Advocate             |
|                      |   | Mr. Brij Bihari Tiwary, Advocate         |
|                      |   | Mr. Utkarsh Pathak, Advocate             |

**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY**  
**ORAL ORDER**

2      02-04-2026                      Heard Mr.Avinash Shekhar, learned counsel for the petitioner and Mr. Naresh Dikshit, learned Spl. P.P. for the Mines.

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 letter no. 543 dated 16.05.2025*



*(Annexure P5) issued by the Respondent Assistant Director, whereby and whereunder the petitioner has been directed to deposit Rs. 63,69,300/-as additional security deposit for the second year of settlement;*

*(ii) to issue an appropriate writ, order or direction in the nature of certiorari for quashing letter no. 175 dated 03.02.2026*

*(Annexure P6) issued by the Respondent Mineral Development Officer, Rohtas whereby and whereunder the petitioner has been directed to deposit Rs. 76,43,160/- as additional security deposit for the third year of settlement;*

*(iii) during pendency of this writ application, this Hon'ble Court may direct the Respondents to not to take any other coercive steps against the petitioner for recovery of Rs. 63,69,300/- and Rs. 76,43,160/-respectively;*

*(iv) this Hon'ble Court may further adjudicate and hold that letter no. 543 dated*



*16.05.2025 and letter no 175 dated 03.02.2020 are bad in the eyes of law as the same are dehors the Bihar Minerale (Concession, Prevention of Illegal Mining, Transportation & Storage) Rules, 2019 and the tender document;*

*(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. At the outset, learned counsel representing the Mines Department submits that the Assistant Director, Mines and Minerals, Rohtas at Sasaram had issued letter no. 543 dated 16.05.2025 and letter no. 175 dated 03.02.2026 which could have been assailed before the District Collector, Rohtas at Sasaram under section 67 of the Bihar Minerals (Concession, Prevention of illegal Mining, Transportation & Storage) Rules, 2019 (henceforth for short 'the Rules'), instead the writ petition. He further submits that if any petition is preferred, the authority shall ensure that it is taken to its logical conclusion at an earliest preferably within a period of six weeks.

4. Learned counsel for the petitioner submits that he shall be approaching the Collector, Rohtas at Sasaram within a



week under section 67 of 'the Rules' but till then no coercive steps be taken.

5. Learned Special P.P. for the Mines submits that the order is dated 16.05.2025. We are in the month of April, 2026, nothing has happened till date and he shall ensure that the matter is taken to its logical conclusion.

6. This Court accepts the view put forward by the parties and allows the petitioner to appear before the Collector, Rohtas at Sasaram in a week who shall be deciding the matter within a period of six weeks thereafter.

7. Needless to add, the status quo as existing today shall be maintained which will merge with the order passed by the Collector, Rohtas at Sasaram.

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

**(Rajiv Roy, J)**

Ravi/-

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