

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5619 of 2026

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M/s Satyam Distributors through its proprietor, Yogendra Kumar @ Yogendra Sharma (Male), aged about 53 years, S/o-Late Bindeshwari Singh, resident of 224/53-A, Brahmasthan Road, Shekhpura Bagicha, B.B. College, P.S.-Shastrinagar, Dist.-Patna-800014.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary cum Mines Commissioner, Mines and Geology Department, Government of Bihar, Vikash Bhawan (New Secretariat), Bailey Road, Patna-800014.
2. Principal Secretary cum Mines Commissioner, Mines and Geology Department, Government of Bihar, Vikash Bhawan (New Secretariat), Bailey Road, Patna-800014.
3. The Assistant Director, Mines and Geology Department, Government of Bihar, Vikash Bhawan (New Secretariat), Bailey Road, Patna-800014.
4. District Magistrate cum Collector, Bhojpur at Ara.
5. The Mineral Development Officer, District Mining Officer, Bhojpur at Ara.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Dhananjay Kumar, Advocate
For the Respondent/s	:	Mr. Nadim Siraj, GP-5
		Mr. Shalini, AC to GP-5
For the Mines	:	Mr. Naresh Dikshit, Spl.P.P.
		Ms. Shruti Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 25-06-2026 Heard Mr. Dhananjay Kumar, learned counsel for the petitioner, Ms. Shruti Singh for the Mines Department and Mr. Pranoy Kumar, learned AC to GP-12.

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

“(a) That letter bearing no.- 391 dated 20/01/2024 (Annexure-P/3), under the signature of Assistant Director, Bhojpur at Ara issued from the



office of Mining Office Bhojpur (Ara), whereby and where under a penalty was awarded to the tune of Rs. 2,37,500/- and petitioner was directed to deposit to the tune of Rs 2,12,500 and further an explanation was asked from him levelling allegation of illegal mining said to have been found outside the environmental clearance area be quashed.

(b) That an appropriate writ/writs, direction/directions be issued directing the respondents to refund Rs. 2,37,500/-, which was deposited by the petitioner; on account of penalty, under compelling situations.

(c) Any other relief or reliefs Petitioner found entitled in law be granted to him.”

3. The contention in the writ petition is that though the show cause was issued on 20.01.2024 by the office of the Collector, it was promptly replied on 27.01.2024 (Annexure P/4 to the petition) but till date, the decision has not been taken.

4. The counter-affidavit has come on behalf of the Mineral Development Officer, Bhojpur at Ara and the details has been incorporated which also includes that he has paid the fine amount, and later, when the installments were not cleared, the E-challan was stopped.



5. Learned counsel for the petitioner submits that those are different matters where he has also surrendered the said '*ghat*' and the payment of the fine amount do not bar his legal right to contest the show cause issued on 20.01.2024 and which has been replied on 27.01.2024 but still not considered by the Collector (Mines), Bhojpur at Ara.

6. In view of the limited prayer with which the petitioner has come up, with the consent of the parties, the writ petition stands disposed of allowing the petitioner to approach afresh before the Collector, Bhojpur at Ara alongwith the order so that a decision is taken on the show cause dated 20.01.2024 for which, according to the petitioner, reply was filed on 27.01.2024, at an earliest, preferably within a period of three months from the date, the petitioner prefers a petition.

7. Needless to add, the decision taken by the Collector, Bhojpur at Ara will decide the penalty that has been paid by the petitioner.

(Rajiv Roy, J)

Adnan/-

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