

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5168 of 2026

1. Sujeet Kumar Akela Son of Bharat Prajapati, Resident of Village- Baralia Lachhuman Bigha, P.S.- Paraiya, District- Gaya.
2. Dhanjeet Kumar, Son of Rajkishor Prasad, Resident of Village- Mobarakapur, P.O.-Phurhuriya, District- Gaya.

... .. Petitioner/s

Versus

1. The Principal Secretary, Environment, Forest and Climate Change Department Government of Bihar, Patna.
2. The Secretary -cum- Mining Commissioner, Mines and Geology Department, Government of Bihar, Patna.
3. The Chairman, State Environment Impact Assessment Authority (SEIAA) Bihar, Patna.
4. The Chairman, Bihar State Pollution Control Board, Bihar, Patna.
5. The Director, Mines and Geology Department, Government of Bihar, Patna.
6. Mahendra Prasad, S/o Uday Narayan Prasad, Resident of village- Jagarnathpur, P.O.- Dharmshala, P.S.- Chandauti, District Gaya, Bihar.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Shakti Suman Kumar, Adv. Mr. Himanshu Ranjan, Adv. Mr. Rajesh Ranjan, Adv. Mr. Shubham Kumar, Adv.
For the State	:	Mr. P. K. Shahi, Advocate General
For the Mines	:	Mr. Naresh Dixit, Spl. P.P. Mines Ms. Kalpana, Adv.
For the S.E.I.A.A.	:	Mr. Kumar Ravish, Adv. Mr. Rohit Kumar, Adv. Mr. Ayush Kumar, Adv.

CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 01-05-2026 The petitioners have approached this Court by filing a writ petition in the nature of public interest seeking following reliefs:-



“i. For issuance of an appropriate writ, order or direction in the nature of Mandamus commanding the Respondents to forthwith cancel and/or revoke the Environmental Clearance dated 09.12.2025 bearing File No. SIA/1(a)/2580/2024 and EC Identification No. EC25B0107BR5165187N, granted by the State Environment Impact Assessment Authority (SEIAA), Bihar, in respect of Sand Mining Project - Block No. 21 (Gaya Morhar-08), admeasuring approximately 14 hectares, situated on the Morhar River in District Gaya, Bihar;

ii. For issuance of an appropriate writ, order or direction restraining the Respondents and the Project Proponent from carrying out any sand mining or allied extraction activities in Block No. 21 of the Morhar River pursuant to the impugned Environmental Clearance;

iii. For issuance of a direction to the Respondents to conduct an independent, scientific and cumulative environmental impact assessment of all sand mining blocks situated on the Morhar River in District Gaya, including assessment of riverbed stability, replenishment rate, groundwater impact, bank erosion, and public safety hazards;

iv. For issuance of a direction to the Respondents to conduct a site inspection and restoration exercise to identify and fill hazardous mining pits and implement



safety measures to prevent further drowning incidents.”

2. Mr. Kumar Ravish, learned Counsel for the respondent no. 3 (State Environment Impact Assessment Authority) submits that since the petitioners have statutory alternative remedy against the order granting environmental clearance under Section 16(h) of the National Green Tribunal (NGT) Act, 2010, the present writ petition is wholly misconceived.

3. Considering the submissions advanced, this Court finds substance in the submission of learned Counsel for the respondent no. 3. Accordingly, the present writ petition stands disposed off with a liberty to the petitioners to avail the remedy, as provided under the National Green Tribunal (NGT) Act, 2010.

(Sangam Kumar Sahoo, CJ)

(Harish Kumar, J)

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