

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8614 of 2026

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Auro Sundaram International Private Limited Having its registered office at 705, Luv Kush Tower, Exhibition Road, Patna 800001 through one of its directors namely Gourav Choudhary male aged about 29 years son of Ashok Kumar Choudhary resident of Ward number 5/13, Purani Bazar, District Madhepura, Bihar - 852113.

... .. Petitioner/s

Versus

1. The State of Bihar Through the Additional Chief Secretary, Department of Mines and Geology, Government of Bihar, Patna.
2. The Additional Chief Secretary, Department of Mines and Geology, Government of Bihar, Patna.
3. The District Magistrate cum Collector, Bhojpur, Arrah.
4. The Assistant Director, Mines and Geology, Bhojpur, Arrah.
5. The Mines Development Officer, Mines and Geology, Bhojpur, Arrah. (Penalty)

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 8638 of 2026

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Auro Sundaram International Private Limited having its registered office at 705, Luv Kush tower, Exhibition Road, Patna-800001 through one of its directors namely Gourav Choudhary male aged about 29 years son of Ashok Kumar Choudhary resident of Ward number 5/13, Purani Bazar, District Madhepura, Bihar - 852113.

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5. The Mines Development Officer, Mines and Geology, Bhojpur, Arrah.

... .. Respondent/s

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Appearance :

(In Civil Writ Jurisdiction Case No. 8614 of 2026)

For the Petitioner/s : Mr. Mukund Kumar, Adv.

For the Respondent/s : Mr. Government Pleader (27)

(In Civil Writ Jurisdiction Case No. 8638 of 2026)



For the Petitioner/s : Mr. Mukund Kumar, Adv.
For the Respondent/s : Mr. Standing Counsel (05)
For the Mines : Mr. Naresh Dikshit, Spl. P.P. Mines
Ms. Shruti Singh, Adv.

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 02-07-2026 Learned counsel for the petitioner prays for and is allowed to implead the Mines Commissioner, Bihar, Patna as party respondent no. 6 in course of the day.

2. Heard Mr. Gautam Kejriwal, learned counsel for the petitioner and the State besides Ms. Shruti Singh for the Mines Department.

3. The present application has been preferred for the following relief(s):

a) for issuance of writ or order or direction in the nature of certiorari for quashing of the demand of penalty imposed of a sum of 580,922 vide letter number 1511/khanan dated 12.06.2025 and also letter number 717/khanan Bhojpur dated 09.02.2024 issued by the respondent number 3 being wholly without jurisdiction in light of the judgement of this honourable court in the matter of M/s Uma Associates Versus the State of Bihar and Others and for a consequential direction upon the respondents to refund the said amount of penalty paid by the petitioner in absence of knowledge about the said principle of law settled by this



honourable court based on interpretation of various provisions of rules 2019;

b) For issuance of an appropriate writ or order or direction upon the respondents to refund the penalty amount of ₹5,80,922/- which has been illegally and arbitrarily recovered by the respondent department pursuant to the impugned demand of penalty imposed upon the petitioner;

c) For any other relief or reliefs to which the petitioner is found entitled in the facts and circumstances of this case.

4. At the outset, learned counsel for the Mines Department submits that the order in question can very well be challenged before the respondent no. 6, the Mines Commissioner, Bihar, Patna and if such petition is filed, it will be taken to its logical conclusion.

5. Learned counsel for the petitioner submits that the present petition is squarely covered by the case of Uma Associates vs. State of Bihar in CWJC No. 3400 of 2023 disposed of on 09.05.2023 (Annexure- P/9 to the petition).

6. This Court is of the view that when the avenue is available, the petitioner must avail the same and he shall be free to present his case along with the orders of the Patna High Court including the case of Uma Associates (supra) so that a decision



comes at an earliest.

7. If such petition is preferred in next four weeks, the concerned respondent no. 6 shall be taking it up and after hearing all the parties, shall be passing a reasoned order in accordance with law preferably within a period of three months from the date the petition is preferred before the concerned respondent.

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

(Rajiv Roy, J)

Vijay Singh/-

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