

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11189 of 2026

Sanjay, Son of Lali, Resident of village Gaushala Road, Janta Tent House,
Jumri Telaiya, Koderma, Police Station Telaiya, District Koderma, State
Jharkhand.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Mines and Geology, Government of Bihar, Patna.
2. The Director, Mines and Geology, Government of Bihar, Patna.
3. The District Magistrate, Rohtas at Sasaram.
4. The District Mining Officer, Rohtas at Sasaram.
5. The Competent Authority, District Mining Office, Jehanabad.
6. The Officer-in-Charge, Dehri Muffasil Police Station, District Rohtas.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Nitish Kumar, Advocate.
For the Respondent/s	:	Mr. Government Pleader (27).
For the Mines Dept.	:	Mr. Naresh Dikshit, Spl.P.P. with Ms. Shuruti Singh, Advocate.

CORAM: HONOURABLE MR. JUSTICE A. ABHISHEK REDDY
ORAL ORDER

2 27-07-2026 Heard the learned counsel for the parties.

2. The present writ petition has been filed for the
following relief(s):-

“.....for issuance of an appropriate writ in the nature of Certiorari for quashing the letter/order dated 05.05.2026 issued by Respondent No. 4, whereby the petitioner’s truck bearing Registration No. BR01-GJ-1221, Chassis No. MAT54207K1B17364 was declared to be carrying an alleged overload and, on the basis thereof, was



seized under Rule 56(2) of the Bihar Minerals (Concession, Prevention of Illegal Mining, Transportation & Storage) Rules, 2019 (as amended 2024), despite the admitted fact that the sand had been transported from an authorized sand ghat under a valid challan and there being no allegation whatsoever of illegal mining or illegal transportation and further for issuance of a writ in the nature of Mandamus directing the respondents to release the said vehicle of the petitioner forthwith.”

3. Without going into the merits or demerits of the case the present writ petition is disposed of at the stage of admission with the consent of both the Counsels.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner has given a representation/complaint dated 06.07.2026 (Annexure-P/4 series) to the District Mining Officer, Rohtas at Sasaram i.e. Respondent No. 4 herein who is the competent authority and it would suffice if a direction is given to the said authority to consider the said representation and pass necessary orders by fixing a time-frame.

5. Learned counsel appearing on behalf of the Respondent No. 4 submits that he has no objection if a direction is given to the Respondent No. 4 to dispose of the representation/complaint made by the petitioner strictly in accordance with law.



6. Having regard to the above made submissions, the present writ petition is disposed of directing the District Mining Officer, Rohtas at Sasaram i.e. Respondent No. 4 herein to consider the representation/ complaint dated 06.07.2026 (Annexure-P/4 series) and pass a reasoned order.

7. It is needless to mention that before passing any orders, the petitioner shall be given an opportunity of hearing. The entire exercise shall be completed as expeditiously as possible preferably within a period of 4 weeks from the date of receipt of a copy of this order. Any orders passed shall be communicated to the party.

8. With the above direction, the present writ petition stands disposed of.

(A. Abhishek Reddy, J)

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