

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.171 of 2020

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Umesh Kumar Son of Late Jiyalal Ray, Resident of Village/Mohalla-Jalal Chowk, P.O.-Shekpur, P.S.-Yehaipur, District-Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Mines Commissioner, Vikas Bhawan, Bailey Road, Patna.
2. The mInes Commissioner, Vikas Bhawan, Bailey Road, Patna. Mines and Geology Department, Government of BIhar Vikas Bhawan, Bailry Road, Patna.
3. The Assistant Director, Mines and Geology Department, Government of BIhar, Vikash Bhawan Bailey Road, Patna.
4. The Licensing Authority Cum Collector, Muzaffarpur.
5. The Mineral Development Officer Mines Inspector, Muzaffarpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Suraj Samdarshi, Adv. Mr. Avinash Shekhar, Adv.
For the Respondent/s	:	Mr. Gyan Prakash Ojha (GA7)
For the Mines	:	Mr. Naresh Dikshit, Spl.P.P. Ms. Shruti Singh, Adv.

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

10 23-03-2026 Heard Mr. Suraj Samdarshi, learned counsel for the petitioner and Ms. Shruti Singh for the mines besides Mrs. Sangha Mitra Ghosh representing the State.

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

(i) To issue an appropriate writ, order or direction in the nature of certiorari for quashing order dated 19.11.2019 contained in memo no. 4195 / M Patna dated 21.11.2019 issued by the Respondent Mines



Commissioner, whereby and where under the petitioner has been directed to deposit Rs. 11,20,48,172/- (Rupees Eleven Crores Twenty Lakhs Forty Eight Thousand One Hundred Seventy Two Only) as amount due with respect to settlement of sand ghat in the district of Muzaffarpur for the calendar year 2017 and 2018.

ii) This Hon'ble Court may adjudicate and hold that the Petitioner is not liable to pay the royalty for the period he has been precluded from wining of sand on account of intermittent closure of sand ghats.

iii) To award the cost of litigation and suitable compensation to the petitioner for the loss and damages caused to the petitioner.

iv) To grant/ award any other relief or reliefs which the Petitioners may be found entitled to in the facts and circumstances of the case.

3. Learned counsel for the petitioner submits that it will suffice if he is allowed to approach the respondent no. 2, the Mines and Geology Department, Bihar, Patna so that he/she can take a decision in the matter.

4. The respondents including the Mines Department have no objection.

5. In that background, the writ petition is disposed of



allowing the petitioner to approach the concerned respondent in next eight weeks who shall be taking up the matter and disposing it of with a reasoned order.

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

(Rajiv Roy, J)

Vijay Singh/-

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