

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.173 of 2026

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Mirtunjay Kumar Son of Binod Kumar, R/o- village- Lahladpur, P.O. - Saidabad, P.S.- Rani Talab, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Department of Mines and Geology, Government of Bihar, Patna.
2. The Secretary, Department of Mines and Geology, Government of Bihar, Patna.
3. The Director, Department of Mines and Geology, Government of Bihar, Patna.
4. The District Magistrate, Patna.
5. The Mineral Development Officer, District Mining Office, Patna.
6. The Mining Inspector, District Mining Office, Patna.
7. The Officer-in-Charge, IIT Amhara Police Station, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Prashant Kumar, Advocate
For the State	:	Mr. Standing Counsel (07)
For the Mines Dept.	:	Mr. Naresh Dikshit, Spl. PP Mines

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 26-03-2026 Heard the parties.

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

“(i) for issuance of a writ in the nature of Mandamus for quashing the arbitrary and illegal action of the respondent authorities in blocking/closing the petitioner's I.D. and password appertaining to its sand Storage License without any notice opportunity of



hearing.

(ii) for quashing the letter no. 5645 dated 07.10.2025, so far as it relates to the petitioner, by which a direction has been issued to take punitive action against all K-license holders for alleged ground of unauthorized sale beyond the permissible limit is false, baseless, and without evidentiary support, especially when no stock of sand existed at the petitioner's site at the relevant time.

(iii) for issuance of a writ in the nature of mandamus, commanding and directing the respondent authorities to immediately restore the petitioner's I.D and password and allow him to carry on lawful business under his valid license.

(iv) for holding that the alleged ground of unauthorized sale beyond the permissible limit is not all applicable in the case of petitioner.

(v) for issuance of such other order or direction as the petitioner may be found entitled to in the facts and circumstances of the instant case.”



3. This Court is of the opinion that it would be appropriate that the respondent no.2, the Secretary, Department of Mines and Geology, Bihar, Patna takes a decision.

4. The petitioner will be filing a detailed representation alongwith all the supporting documents and he/she shall be duty bound to pass a reasoned order in next three months.

5. Till the decision comes from the aforesaid respondent no.2, the interim protection granted on 02.02.2026 by the coordinate Bench to continue.

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

(Rajiv Roy, J)

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