

(1987) 12 AHC CK 0045
In the Allahabad High Court
Case No : Writ Petition No. 7596 of 1987

Abdul Azim and Another

APPELLANT

Vs

District Officer, Minor Mineral Concession Rules and District
Magistrate, Gonda and Others

RESPONDENT

Date of Decision : 15-12-1987

Acts Referred:

Constitution of India, 1950 — Article 226
Mines and Minerals (Development and Regulation) Act, 1957 — Section 30

Citation : (1987) 12 AHC CK 0045

Hon'ble Judges : U.C.Srivastava, J and Virendra Kumar, J

Final Decision : Dismissed

Judgement

U.C. Srivastava, J.—The petitioner has got alternative remedy of revision by approaching the Central Government under section 30 of the Mines and Minerals (Regulation and Development) Act, 1957 (Act No. 67 of 1957).

2. The learned counsel for the petitioner argued at great length that the petitioner has been deprived of his fundamental right and he has been excluded from participating in the bid and as such it is for this Court to issue a writ in the nature of mandamus commanding the opposite parties Nos. 1 and 2 not to execute the lease deed in favour of opposite party no. 5 or to act upon the auction held on 6.11.1987 and to quash the same.

3. In any case the petitioner should have preferred a revision petition. On the filing of revision petition, the revisional authority is expected to decide the revision petition within one month from the date of presentation of the revision petition. In view of this the past history of the case is not necessary to be heard and we do not think it proper to hear this writ petition of the petitioner and it is hereby dismissed as the petitioner has got alternative remedy.