

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14025 of 2014

Sanjay Kumar Sah Kumar Sah, son of Sri Ramu Sah, resident of village Balha, P.O. Bhuskull, P.S. Ketu, District-Darbhanga, proprietor of M/s Ganpati Food Industries, as well as Ganesh Laxmi Industries, Industrial Area.

.... Petitioner/s

Versus

1. The North Bihar Power Distribution Company Ltd. Vidyut Bhawan, Patna 21, through its Managing Director.
2. Managing Director, North Bihar Power Distribution Company Limited, Vidyut Bhawan, Patna -21
3. Chief Engineer, Mithila Area, North Bihar Power Distribution Company Limited, Darbhanga
4. Electrical Superintending Engineer, Electric Circle, North Bihar Power Distribution Company Limited, Darbhanga
5. Electrical Executive Engineer, Electric Supply Division, North Bihar Power Distribution Company Limited, Darbhanga
6. Assistant Engineer, Electric Supply Sub Division, North Bihar Power Distribution Company Limited, Sakari/Madhubani
7. State of Bihar through Industrial Development Commission, Bihar, Patna
8. Director, District Industrial Centre, Madhubani.

.... Respondent/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Thakur, Adv.
For the Respondent/s : Mr. Prakash Kumar, Adv.
For the State : Mr. Ritesh Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

6 19-03-2015 Heard Mr. Ajay Kumar Thakur, learned counsel for the petitioner, Mr. Ritesh Kumar for the State and Mr. Prakash Kumar for the Power Holding Distribution Company.

The petitioner has prayed for a direction to the respondent authorities of the Power Holding/Distribution Company as well as the State of Bihar to provide him with the benefits to which he is entitled under the Industrial Incentive Policy, 2006 as modified in

2011.

A counter affidavit was filed on behalf of the Power Holding/Distribution Company in which a stand was taken that neither the petitioner had applied in the prescribed format nor the District Industries Centre had intimated the date of the commercial production by the petitioner.

Since a statement was made at the bar by learned counsel appearing on behalf of the petitioner that despite the efforts the petitioner was not getting any information regarding the reason for denial which led to the filing of the present application that this Court vide order passed on 12.3.2015 directed learned counsel appearing on behalf of the respondents to supply the petitioner with the requisite material and following which today when the matter is taken up Mr. Prakash Kumar appearing for the respondent company hands over copy of the prescribed format to Mr. Thakur which requires to be filled up by the petitioner and be submitted before the competent authority.

Mr. Ritesh Kumar appearing for the State while filing a counter affidavit has submitted that since the petitioner has not applied for the 'Entrepreneur Memorandum Part 2' which would provide him with the date of production and the production capacity hence the competent authority which in the present case

would be the Executive Director, Bihar Industrial Area Development Authority, Regional Office, Darbhanga has given no such information and if the petitioner would apply for the same, the required information would be furnished to him.

Having heard learned counsel for the parties and taking note of the circumstances existing which has led to denial of benefits of the Industrial Policy to the petitioner, the writ petition is disposed of directing the petitioner to take appropriate steps in terms of the requirement made by the respondent authorities of the Power Distribution Company as well as the State and no sooner such application is filed that the respondent authority concerned would proceed to dispose of the same expeditiously and preferably within four weeks of receipt of such application.

This application is disposed of with directions.

(Jyoti Saran, J)

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