

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.7461 of 2011

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1. Saryashree Oasis Group Of Education Trust Through Its Director, Rupesh Nandan Kumar, S/O Late Satyanandan Kunwar, R/O Moh.- South Of Four Star Cinema, Nh-31, P.S.- K. Hat, Distt.- Purnea.

.... Petitioner/s

Versus

1. The Principal Secretary-Cum-Chairman, Bihar Industrial Area Development Authority, Govt. Of Bihar, New Secretariat Building, Bailey Road, Patna
2. The Bihar Industrial Area Development Authority, Udhog Bhawan, East Gandhi Maidan, Patna- 800004, Through Its Managing Director
3. The Managing Director, Bihar Industrial Area Development Authority, Udhog Bhawan, East Gandhi Maidan, Patna- 800004
4. The Secretary, Bihar Industrial Area Development Authority, Udhog Bhawan, East Gandhi Maidan, Patna- 800004
5. The Executive Director, Bihar Industrial Area Development Authority, Regional Office, Bhagalpur.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Siya Ram Shahi
Mr. Ranjan Kumar Singh
For the Respondent/s : Mr. Lalit Kishore
Mr. Piyush Lall

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL

ORAL JUDGMENT

Date: 03-09-2015

Heard Mr. Siya Ram Shahi for the petitioner and Mr.

Piyush Lall for the Bihar Industrial Area Development Authority (for short 'the BIADA').

The petitioner applied for allotment of a piece of land for construction of school in the industrial area for which land was acquired by the BIADA. The Project Clearance Committee of the BIADA for the district in question cleared the project whereafter an offer was given to the petitioner on certain conditions. It appears some of the conditions under which the allotment and/or offer of allotment

was made could not be complied by the petitioner for which some reasons have been explained to this Court. The petitioner's representation filed in this regard stood rejected by the original authority as well as the appellate authority of the respondent BIADA.

In sum and substance, the case of the petitioner is that it is ready for allotment of any other plot by the BIADA having access to the road or even if the BIADA permits the use of internal road of BIADA.

Mr. Lall, on the other hand, states that if any plot in the industrial area is available which may be utilized by the petitioner, the same shall be considered in accordance with law if the petitioner applies afresh for the same.

Having heard the parties, this Court disposes of the application permitting the petitioner to apply afresh before the respondent BIADA for allotment of appropriate plot/piece of land for setting up of a school which, according to both parties, falls within the objectives of BIADA being amenities provided for industrial area.

(Kishore Kumar Mandal, J)

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