

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.243 of 2015

With
I.A. No.244 of 2015
With
I.A. No.325 of 2015

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M/s Sarvshree North India Mechanical Engineering Works through its
Proprietor, Shivnandan Mahto, son of Late Rajeshwar Mahto, resident of
village- Phulwaria, P.O. - Barauni, District- Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Industries, New Secretariat, Patna.
2. The Bihar Industrial Area Development Authority, Udyog Bhawan, East Gandhi Maidan, P.S. Gandhi Maidan, P.O. Bankipur, Patna through its Managing Director.
3. The Executive Director, Bihar Industrial Area Development Authority, Udyog Bhawan, East Gandhi Maidan, P.S. Gandhi Maidan, P.O. Bankipur, Patna.
4. The Area Officer, Industrial Area, Barauni, P.O.- Tiltrath, P.S.- Barauni, District- Begusarai.

.... Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Suresh Mishra
For the Respondent/s	:	Mr. Arvind Ujjwal, SC-25
For the respondent-BIADA	:	Mr. Prashant Pratap

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

2 02-02-2015 Heard Mr. Suresh Mishra, learned counsel appearing

on behalf of the petitioner, Mr. Prashant Pratap, learned counsel
appearing for the Bihar Industrial Area Development Authority
and Mr. Arvind Ujjwal, learned Standing Counsel No.25 for the
State.

The petitioner has prayed for quashing of the letter
no.559 dated 30.6.2014 issued by the Area Officer, Industrial
Area, Barauni whereby he has been asked to hand over the

physical possession of the Unit to the Authority.

Perusal of the writ petition manifests that the lease of the petitioner with the Authority itself was cancelled and it is admitted by Mr. Mishra that the cancellation took place in 2007. It is also admitted that such cancellation was never questioned by the petitioner nor in my opinion, can be questioned after such delay and the order impugned in this writ petition is only a consequence thereof.

For the reasons aforementioned, this Court is not persuaded to grant indulgence to the prayer made in the writ petition and as a consequence the writ petition is dismissed. The interlocutory application stands disposed of.

(Jyoti Saran, J)

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