

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.9041 of 2016**

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M/s. Pipoplast Pvt. Ltd, B-10 & B-11, Bela, Industrial Estate, Muzaffarpur  
Bihar through its Proprietor Praveen Chandra Kishore @ Prabin Chandra  
Kishore S/o- Nand Kishore Pd. Sinha, residing at- c/o Sri N.K.P Sinha, C.T  
Marg, Gannipur, Muzaffarpur, Bihar

.... .... Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Dept. of Industry,  
Vikas Bhawan, Bailey Road, Patna, Bihar
2. The Bihar Industrial Area Development Authority (BIADA) through its  
Secretary, Udhog Bhawan, Gandhi Maidan, Patna
3. The Managing Director, BIADA, Udhog Bhawan, Gandhi Maidan, Patna
4. The Executive Director, BIADA, Regional Office, Muzaffarpur.
5. The Development Officer, BIADA, Regional Office, Muzaffarpur.
6. The Area In Charge, Industrial Area, Muzaffarpur
7. The Bihar State Finance Corporation (B.S.F.C), through its Branch  
Manager, B.F.S.C, Sahay Compound, Naya Tola, Muzaffarpur.

.... .... Respondents

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**Appearance :**

For the Petitioner/s : Mr. Kumar Devashish, Advocate  
For the State : Mr. Tripurari Nath Ambastha, AC to S.C.26  
For BIADA : Mr. Rajeev Ranjan Prasad & Mr. Nilanjan  
Chatterjee, Advocates  
For BSFC : Mr. Nikhil Agrawal, Advocate

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**CORAM: HONOURABLE MR. JUSTICE RAMESH KUMAR DATTA**  
**ORAL ORDER**

5      23-08-2016                      Heard learned counsel for the petitioner and learned  
counsels for the BIADA, BSFC and for the State.

It is the stand of the petitioner in the writ application that  
the representation filed by the petitioner in the year 2011 against  
the order of BIADA passed in the year 2010 is still pending before  
the Appellate Authority, i.e., Industrial Development  
Commissioner. Learned counsel for the petitioner relies upon  
paragraph-8 of the counter affidavit filed by respondent No.1 that  
the petition filed by the petitioner on 5.1.2011 remained defective  
and never registered as an appeal against the order of BIADA but  
the appellate authority upon removing the defect can still hear the

petition treating the same to be an appeal and delay condonation application if the petitioner deposits the appeal fee and get his petition registered.

Learned counsel for the petitioner submits that the petitioner is prepared to deposit the appeal fee and take appropriate steps in the matter.

In the above circumstances, the writ application is disposed of with the direction that the petitioner shall deposit appeal fee for the representation filed by him earlier within six weeks from today and upon the same being done the respondent Industrial Development Commissioner shall ensure that the appeal is heard and disposed of within a further period of two months after the deposit of the appeal fee.

Until the disposal of the appeal, status quo as of today shall be maintained.

**(Ramesh Kumar Datta, J)**

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