

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Letters Patent Appeal No.905 of 2014  
Arising out of  
Civil Writ Jurisdiction Case No. 7564 of 2010**

- =====
1. The Bihar Industrial Area Development Authority- through its Managing Director, Udyog Bhawan, East to Gandhi Maidan, P.S. Gandhi Maidan, District & Town- Patna.
  2. The Managing Director, Bihar Industrial Area Development Authority, Udyog Bhawan, East to Gandhi Maidan, P.S. Gandhi Maidan, District & Town- Patna.
  3. The Executive Director, Bihar Industrial Area Development Authority, Regional Office, Darbhanga

.... .... Appellant/s

1. Versus

1. The State of Bihar- through the Industrial Development Commissioner, Government of Bihar, Patna
  2. The Industrial Development Commissioner, Government of Bihar, Patna
- ... Respondent nos. 1 & 2 – respondent nos. 1 & 2
3. M/s Satya Narain Flour Mills, Industrial Area, Pandaul, P.S.- Pandaul, District Madhubani- through its Proprietor Satya Narain Sah, son of Ram Chandra Sah, resident of Village & P.S. Pandaul, District Madhubani

.... .... Petitioner-Respondent/s

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**Appearance :**

|                        |                                                                                                                                                                    |
|------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| For the Appellant/s :  | Mr. Rajeev Ranjan Prasad, Advocate.<br>Mr. N. Chattarjee, Advocate.<br>Mr. Sudhanshu Trivedi, Advocate.<br>Mr. Abhishek Singh, Advocate.<br>Ms. Surabhi, Advocate. |
| For the State :        | Mr. Md. Irshad, AC to SC-1                                                                                                                                         |
| For the Respondent/s : | Mr. V.K.P. Singh, Advocate.<br>Mr. Ranjan                                                                                                                          |

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**CORAM: HONOURABLE MR. JUSTICE HEMANT GUPTA  
and  
HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH**

**ORAL JUDGMENT**

**(Per: HONOURABLE MR. JUSTICE HEMANT GUPTA)**

**Date: 06-10-2016**

The challenge in the present Letters Patent Appeal is to an order

passed by the learned Single Bench of this Court on 27.08.2013 allowing the writ application filed by the respondent on the basis of Single Bench judgment of this Court in the case of Deepak Paints & Ors. V. The State of Bihar & Ors. reported as 2008(2) PLJR 293.

2. Learned counsel for the appellants points out that the judgment of the learned Single Bench has been modified in L.P.A. No. 353 of 2008 (Bihar Industrial Area Development Authority & Ors. Vs. Deepak Paints Pvt. Ltd. & Ors.) and other analogous cases on 18.03.2015. The order of cancellation of lease was set aside but time was granted to establish the industry etc.

3. Learned counsel for the parties agree that the issues raised in the present Letters Patent Appeal are covered by the judgment of this Court in Bihar Industrial Area Development Authority's case (Supra).

4. In view thereof, the present Letters Patent Appeal is disposed off in the same term as Bihar Industrial Area Development Authority's case.

**(Hemant Gupta, J)**

**(Ahsanuddin Amanullah, J)**

Sujit/-

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|-------------------|------------|
| AFR/NAFR          | NAFR       |
| CAV DATE          |            |
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