

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

**Civil Writ Jurisdiction Case No.19183 of 2011**

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M/s. Ujjawal Chemicals Pvt. Ltd. Industrial Estate, Hajipur Aloth, District -  
Samastipur through its Managing Director, Hare Ram Choudhary S/O Sri Ganga  
Prasad Choudhary, R/O Village and Post - Chandauli, P.S. - Ujjiarpur, District -  
Samastipur

.... .... Petitioner

Versus

1. The State of Bihar through Industrial Development Commissioner, Patna  
2. Bihar Industrial Area Development Authority through its Managing Director, 6-  
7 Floor, Indira Bhawan, Patna  
3. The Managing Director, Bihar Industrial Area Development Authority, 6-7 Floor,  
Indira Bhawan, Patna  
4. The Executive Director, Bihar Industrial Area Development Authority, Bela  
Darbhanga, District - Darbhanga

.... .... Respondents

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**Appearance :**

For the Petitioner : Mr. AMARESH KUMAR SINHA, ADVOCATE

For the Respondents : None

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**CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN**

**ORAL JUDGMENT**

**Date: 05-04-2016**

Heard learned counsel for the petitioner. None  
appears on behalf of any of the Respondents despite repeated  
calls.

2. The present writ petition has been filed for  
quashing the letter bearing No. 1747 dated 24.09.2011 issued by  
the respondent no. 4 (as contained in Annexure-14) whereby the  
respondent authorities has refused to grant permission to change  
the product and name of the petitioner's company and further  
directed to ensure the production of the initial product within a

period of 30 days failing which the allotment of land in favour of the petitioner would be cancelled.

3. Learned counsel for the petitioner makes a short submission to the effect that even though the petitioner's request for change of name as well as product has been rejected by impugned order dated 24.09.2011 the respondent BIADA has not yet cancelled the allotment of the petitioner. It is submitted that the petitioner would be entitled to the benefit of a Division Bench judgment of this Court dated 18.03.2015 passed in LPA No. 353 of 2008 (Bihar Industrial Area Development Authority and others vs. Deepak Paints Pvt. Ltd. and others) and analogous cases. Learned counsel for the petitioner submits that the petitioner unit has proposed diversification by requesting for change of product which was not entertained at the relevant time.

4. Having regard to the nature of the prayer of the petitioner, this Court is of the view that the ends of justice will be met if the impugned order dated 24.09.2011 (Annexure-14) is set aside and the petitioner is granted liberty to approach the respondent BIADA with a fresh representation within a period of three weeks from today. In such event, the respondent BIADA shall consider the same in the light of the aforesaid judgment of the Division Bench of this Court in LPA No. 353 of 2008 and

analogous cases and pass fresh orders thereon in accordance with law.

5. It is made clear that in case the petitioner fails to file its representation within the aforesaid stipulated time, the order dated 24.09.2011 shall continue to stand and no fresh order would required to be passed.

6. The writ petition stands disposed of.

**(Vikash Jain, J)**

Chandran

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