

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12692 of 2013

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1. Alakh Deo Rai Son Of Shri Baban Rai Resident Of Village- Khaira Bhutah, P.O.- Natwar, P.S.- Sanjhauli, District- Rohtas.

.... Petitioner/s

Versus

1. Bihar Industrial Area Development Authority Through Its Secretary, 1st Floor, Udyog Bhawan, Gandhi Maidan, Patna
2. The Managing Director, BIADA, 1st Floor, Udyog Bhawan, Gandhi Maidan, Patna
3. The Secretary, BIADA, 1st Floor, Udyog Bhawan, Gandhi Maidan, Patna
4. The Executive Director, (Head Quarter), BIADA, Patna, 1st Floor, Udyog Bhawan, Gandhi Maidan, Patna
5. Area In Charge, Industrial Area Vikramganj, BIADA, District- Rohtas
6. Shri Ram Pravesh Singh S/O Late Raghupati Singh, Resident Of Village- Huruah, P.O.- Shivpur, P.S.- Taradhi, District- Bhojpur And Proprietor Of M/S Rohtas Hume Pipe Industries, Industrial Area, Vikramganj, Rohtas, Bihar

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Anirudh Kumar Singh

For the Respondent/s : Mr. Rajeev Ranjan Prasad

Mr. Rajendra Kumar

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL
ORAL ORDER

4 05-04-2016 Heard Mr. Singh for the petitioner and Mr. Rajeev Ranjan Prasad for the respondent Bihar Industrial Area Development Authority (for short 'BIADA').

The writ application seeks following relief(s) as culled out in paragraph 2 of the application:

“(i) For that appropriate writ or writ in the nature of mandamus directing the respondent authorities to execute and to take action on the application so submitted jointly by the proprietor of m/S Rohtas Hum Pipe Industries. IA Vikramganj namely Shri Ram Pravesh Singh and the petitioner on 17/03/2010 and 18/03/2010;

(ii) For that appropriate writ or writs in the nature of prohibition restraining the authorities not

to transfer the said unit to any other person's name;
(iii) For any other relief or reliefs as the Hon'ble
Court may deem fit and proper in the facts and
circumstances of the instant matter.”

Indisputably, the subject plot/land was not allotted to the
petitioner by the respondent BIADA. It is the petitioner's case that
the same was allotted to respondent no. 6 with whom he entered
into an agreement whereafter the respondent no. 6 filed an
application for change in the nature of the ownership of the
industrial unit which remained pending and subsequently allottee
made another application for change in the ownership structure
and upon payment of entire dues of the respondent BIADA, the
same was permitted/allowed.

After having made submissions at some length, Counsel for
the petitioner sought permission of the Court to withdraw this
application in order to pursue his remedy against the concerned
person/authority before appropriate forum/authority in accordance
with law after seeking condonation of delay, if any, on the ground
that he had been bona fide pursuing the remedy before this
Court.

Without granting any relief, the writ application as well as
the pending interlocutory applications stands disposed of.

(Kishore Kumar Mandal, J)

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