

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20187 of 2011

=====

M/S Bhartiya Sheet Metal Industries, a Proprietorship Firm having its Office situated at Block-C, Ist Floor, Maurya Lok Complex, New Dak Bunglow Road, P.S. Kotwali, District Patna, and its Factory situated at D-2, (15), Industrial Area, Fatuha, District Patna through Its Proprietor, Shankar Chakraborty, S/o Late Dev Bhushan Chakraborty, Resident of 12/D/6, West Anandpuri, P.S. S.K. Puri, Boring Road, Town And District - Patna.

.... Petitioner

Versus

1. The Bihar State Financial corporation [BSEC], A Financial Institution constituted under the State Financial Corporation Act, 1951 having its Head Office at Bihar State Financial Corporation Building, Frazer Road, Patna through Its Managing Director
2. The Managing Director, Bihar State Financial Corporation, Frazer Road, Patna.
3. The Branch Manager, Bihar State Financial Corporation, Industrial Area, Fatuha, Patna.
4. The Bihar Industrial Area Development Authority having its Office situated at Udyog Bhavan, East Gandhi Maidan, Patna through Its Managing Director.
5. Mukesh Kumar Singh, Resident of Vovindpur, P.O. + P.S. Fatuha, District Patna

.... Respondents

=====

Appearance :

For the Petitioner : Mr. Abhishek Kumar, Advocate

For the BSFC : Mr. Y. V. Giri, Sr. Advocate

Mr. Nikhil Kr. Agrawal, Advocate

For Respondent No.5: Mr. Manik Vedasen

Mr. S.C. Bose, Advocates

For the Intervenor : Mr. Alok Kumar Agrawal, Advocate

=====

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 24-06-2016

The present writ petition has been filed for a direction to the respondents to admit the petitioner to the facility of One Time Settlement of outstanding arrears of loan in terms of the Letter dated 16.03.2011 addressed by the respondent to the Bihar Industrial Area Development Authority vide Reference No. H.O. No. 2185 whereby the One Time Settlement Scheme for payment of outstanding arrears and transfer of leasehold rights of the petitioner in the industrial plot

belonging to the petitioner have been offered by Respondents BSFC to BIADA; and for connected reliefs.

2. At the time of hearing, learned counsel, Mr. Abhishek Kumar, appearing on behalf of the petitioner, states that the prayer for admitting the petitioner to the facility of One Time Settlement has now become infructuous and is not pressed as such. Similarly, the remaining two prayers in the writ petition being of consequential nature are also not pressed.

3. I.A. No. 3346 of 2013 has been filed for amendment of the prayer portion of the writ petition challenging the sale order vide Memo No. 15 dated 18.04.2013 with a prayer that the said sale order be quashed.

4. If the main writ petition itself is not being pressed, there is a little occasion to allow the amendment petition. The prayer in I.A. No. 3346 of 2013 is of independent nature disclosing an independent cause of action. The interlocutory application is accordingly rejected.

5. The writ petition stands dismissed with liberty to the petitioner to file a duly constituted writ petition afresh, for the reliefs sought vide I.A. No. 3346 of 2013, if so advised.

(Vikash Jain, J)

B.T/-

U			
---	--	--	--