

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.23593 of 2013

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1. M/S Aman Agro Foods Pvt. Ltd. Through Its Director Namely Smt. Risha Gupta Wife Of Sri Manish Kumar Gupta Resident Of Besides Cherch, New Dillian, Dehri-On-Son, Police Station - Dehri In The District Of Rohtas

.... Petitioner/s

Versus

1. The State Of Bihar through the Principal Secretary, Department of Industry, Government of Bihar, Patna.
2. The Principal Secretary, Departmental Of Industry, Government of Bihar, Patna
3. The Bihar Industrial Area Development Authority through Its Managing Director, Udyog Bhawan, East Of Gandhi Maidan, Patna.
4. The Managing Director, Industrial Area Development Authority, Udyog Bhawan, East Of Gandhi Maidan, Patna.
5. The Executive Director, Bihar Industrial Area Development Authority, Udyog Bhawan, East Gandhi Maidan, Patna.
6. The Area In-Charge, Industrial Area Dehri-On-Sone, Bihar Industrial Area Development Authority, Udyog Bhawan, East Gandhi Maidan, Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr.Sunil Kumar, Advocate.

For the Respondent/s : Mr. Yash Raj Verdhan, Advocate.

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL

ORAL JUDGMENT

Date: 02-08-2016

Heard Mr. Sunil Kumar for the petitioner and Mr. Yash

Raj Verdhan for the respondent Bihar Industrial Area Development

Authority (for short 'the BIADA').

The petitioner became an applicant for allotment of land



in the Industrial Area at Dehri-on-sone for running a Rice Mill Industry. 3500 Sq. ft. of land was allotted in favour of the petitioner by the respondent- on 29.06.2010. A Rice Mill Industry was installed by the petitioner. It is stated that the petitioner extended the business inasmuch as the complexion of the Industry was also changed from partnership to a company. The State Government, on the application of the petitioner in the meeting of State Investment Promotion Board (for short 'the SIPB'), approved the project of the petitioner subject to the certain conditions. It is also averred that the change in the complexion of the ownership of the Industry, on request, was altered /changed by the respondent –BIADA also in order to expand the Industry. The petitioner applied for allotment of additional plot/land which has not till date been considered/examined by the respondent. It is stated that one industrial plot adjacent to the plot allotted to the petitioner was available with the respondent- BIADA for allotment. The entire or part of it has now been allotted to another Industrial Unit. The petitioner would be satisfied, if the representation for allotment of additional plot/land to the petitioner Industry is directed to be considered by the competent/appropriate authority of the BIADA in accordance with law.

Learned counsel for the respondent has, however, submitted that the land of Jagdamba Cement (dead unit) has been

allotted to another applicant. The SIPB has approved the extension plan of the petitioner subject to the conditions that if no further land is made available by the respondent-BIADA, the petitioner shall have to arrange the land on their own.

The Court would not express its view on the submission/counter submission of the parties. It is stated that a representation of the petitioner is pending consideration before the respondent –BIADA for allotment of additional land. The ends of justice, in my view, shall be sub served if the writ application is disposed of by directing the Managing Director of the respondent-BIADA to consider the pending application of the petitioner and take a decision thereon in accordance with law. To enable the Managing Director to consider the application/representation , this Court would require the petitioner to file a copy of the representation along with the present order before the Managing Director of the respondent-BIADA within three weeks.

(Kishore Kumar Mandal, J)

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