

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.3288 of 2017

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M/s Radhe Forgings, Plot No. D/14, Patliputra Industrial Area, Patna-800013 through its Managar, Ramesh Choubey, Son of Late Bangali Choubey resident of Road No.2, Rajeev Nagar, P.S. Rajeev Nagar, District-patna.

.... Petitioner/s

Versus

1. The State of Bihar, through the Principal Secretary, Cum Commissioner, Department of Industries, New Secretariat, Bailey Road, Patna.
2. The Chairman of Bihar Industrial Area Development Authority, Udyog Bahwan, East Gandhi Maidan, Patna.
3. The Managing Director, Bihar Industrial Area Development Authority, Udyog Bhawan, East Gandhi Maidan Patna
4. The Executive Director, Bihar Industrial Area Development Authority, Udyog Bhawan, East Gandhi Maisan, Patna.
5. The Area-In-Charge, Industrial Area and Estate, Patliputra, Patna-800013.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sriram Krishna, Adv.
For the State : Mr. Rakesh Ambastha, AC to AAG-07
For the BIADA : Mr. Girijesh Kumar, Adv.

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL JUDGMENT

Date: 24-03-2017

Heard learned counsel for the petitioner and counsel for the State.

In the present case, the petitioner has raised a grievance that he was allotted a plot of land bearing Plot No. D-14 at Patliputra Industrial Area where he was running the factory since long but, the BIADA has issued an advertisement for allotment of different plots including the plot which has been allotted to the petitioner. Having information that the petitioner has closed down the factory, the allotment has been cancelled by the Managing Director, B.I.A.D.A.



The petitioner being aggrieved by the cancellation of the allotment has filed an appeal before the Principal Secretary, Department of Industry cum Appellate Authority wherein the Authority, having heard the petitioner, has fixed the case for orders.

As the matter is before the appellate authority, fixed the case for order, in such circumstances, it will not be proper for the writ court to entertain this application.

Accordingly, this petition is dismissed.

However, the petitioner will be at liberty to challenge the order of the Appellate Authority if it goes against the petitioner.

(Shivaji Pandey, J)

Rishi/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	30.03.2017
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