IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.3239 of 2017

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1. M/s Chandra Readymade Garment Export House Plot No. C- 23, Industrial Estate Patliputra, Patna- 13 through Sole Propritor, Smt. Pammy Jha, W/o Shri Ganesh Jha, Resident of A- 90 Housing Colony, Kankarbagh, P.S.- Kankarbagh, 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 Bhawan, 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 Maidan, 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,
Mr. Rewti Kant Raman

For the State : Mr. Kinkar Kumar- SC9

For BIADA : Mr. Kumar Ravish

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL JUDGMENT

Date: 17-03-2017

Heard the parties.

The petitioner has been allotted Plot No. 23, Patliputra Industrial Estate, Patna for manufacturing readymade garments.

Learned counsel for the petitioner submits that petitioner has established garments manufacturing unit which is operational. The Bihar Industrial Area Development Authority has issued a show cause and after hearing passed the order.

Against the aforesaid order petitioner filed an appeal under

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Bihar Industrial Area Development Authority Act, 1974 (hereinafter referred to as the Act) before the Secretary of the Industries Department which is pending. In the meantime, the Government has notified an advertisement for allotment of plot to the third party. He further submits that unit of the petitioner is fully operational and wrongly advertisement has been published for allotment.

This matter is pending before the appellate authority who is fully authorized to pass an order in terms of the Act. For the same issue the petitioner cannot opt two forums for resolution of dispute.

In such view of the matter, this Court is not inclined to interfere in the matter for the present. The appellate authority is directed to dispose of the matter within 15 days from the date of receipt/production of a copy of this order.

Learned counsel for the petitioner has pointed out that next date of the appeal has been fixed on 29th March, 2017.

The appellate authority is directed to dispose of the matter without unnecessary delay. Petitioner is directed to produce the copy of this order before the appellate authority for needful.

With the aforesaid observation and direction this writ

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petition is disposed of.

(Shivaji Pandey, J)

Vinay/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	22.3.2017
Transmission Date	NA

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