

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9047 of 2017

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M/s Radhey Forgings situated at Plot No. D/14, Patliputra Industrial Area, Patna-800013 through its Manager Ramesh Choubey, son of Late Bangali Choubey, resident of Road No.2, Rajeev Nagar, P.S.- Rajeev Nagar, District-Patna.

... .. Petitioner

Versus

1. The State Of Bihar through the Principal Secretary, Department of Industries, New Secretariat, Bailey Road, Patna
2. The Principal Secretary, Department of Industries, Govt. of Bihar-cum-Appellate Authority, New Secretariat, Bailey Road, 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 Incharge, Industrial Area and Estate, Patliputra, Patna- 800013.
6. M/S Maya Food and Drinks Pvt. Ltd. through its Director Sri Rajesh Kumar, A-268 Patliputra Colony,

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Sriram Krishna, Advocate
For the Respondent/s : Mr. Kumar Priya Ranjan, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

4 24-06-2019 Although in the writ application the petitioner seeks to challenge the order dated 29.05.2017 (Annexure '1') passed by respondent no. 2 i.e. the Principal Secretary, Department of Industries, Government of Bihar, Patna in Appeal Case No. 39 of 2015 by which the Principal Secretary has refused to interfere with the order of cancellation of allotment of plot passed by the Managing Director, Bihar Industrial Area Development Authority (hereinafter referred to as the 'BIADA') vide Memo No. 4179D dated 07.09.2015 (Annexure '2'),



learned counsel for the petitioner submits that at this stage the petitioner is only seeking a consideration of his case in the light of the Hon'ble Division Bench judgment of this Court in L.P.A. No. 353 of 2008 (Bihar Industrial Development Authority & Ors. Versus Deepak Paints Pvt. Ltd. & Ors.)

Mr. Kumar Priya Ranjan, learned counsel representing 'BIADA' submits that he has instruction to say that 'BIADA' is ready to consider the case of the petitioner in light of the Hon'ble Division Bench judgment in L.P.A. No. 353 of 2008 and in case the petitioner makes a representation together with an affidavit in support of his statements and stands within one month from today, his application shall be considered and will be disposed of keeping in mind the judgment of the Hon'ble Division Bench passed in L.P.A. No. 353 of 2008 within a reasonable time.

In view of the prayer made on behalf of the petitioner and the response of the 'BIADA' nothing remains for adjudication in the present case. The writ application is being disposed of taking note of the submission of the 'BIADA'. In case the petitioner makes a representation along with affidavit within one month from today, BIADA in terms of its own submission consider and dispose of the representation keeping



in mind the Hon'ble Division Bench judgment of this Court in
L.P.A. No. 353 of 2008 within a period of three months from the
date of receipt of the representation with affidavit.

The writ application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

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