

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4117 of 2019

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M/s Kanti Industries Factory No.-D-7, Industrial Area, Fatuha-803201, Patna,
Bihar through one of its partners Shri Deepak Kumar, S/o Late Tarni Prasad
Mandal, Resident of New Kadamkuan, p.s.-Kadamkuan, Patna

... .. Petitioner

Versus

1. The Bihar Industrial Area Development Authority constituted under Bihar Industrial Area Development Authority Act, having its office at Indra Bhawan, Ram Charitra Path, Patna through its Chairman-cum-Managing Director.
2. The Managing Director Bihar Industrial Area Development Authority, Indra Bhawan, Ram Charitra Path, Patna.
3. The Executive Director Bihar Industrial Area Development Authority, Indra Bhawan, Ram Charitra Path, Patna
4. The Principal Secretary-cum-Appellate Authority Department of Industries, Govt. of Bihar, Patna
5. Bihar State Financial Corporation a State Financial Corporation incorporated under the State Financial Corporation Act, having its office at Frazer Road, Patna through its Managing Director
6. That Manager Bihar State Financial Corporation having its office at Frazer Road, Patna

... .. Respondents

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Appearance :

For the Petitioner/s	:	Mr.Ajay Kumar Sinha, Advocate
For the Respondent/s	:	Mr.Piyush Lal, Advocate
For the BSFC	:	Mr.Raju Giri, Advocate
		Mr.Santosh Kumar Mishra, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 16-07-2019 Having realized the difficulties in challenging the order of cancellation of allotment of plot dated 23.06.2007 and the appellate order dated 30.05.2011 because earlier challenge to those orders in C.W.J.C. No. 12550 of 2011 had been withdrawn, learned counsel for the petitioner submits at this stage that while withdrawing the writ application in C.W.J.C.



No. 12550 of 2011 the petitioner was granted liberty to ventilate his grievances against the respondent in accordance with law before appropriate forum/authority.

It is submitted that in view of the liberty available to the petitioner he had submitted his grievance before the Managing Director, Bihar Industrial Area Development Authority (in short 'BIADA') which was considered but did not find favour with the Managing Director. It is stated that vide Annexure 'P/11' the Executive Director, BIADA has communicated the petitioner about the decision taken on his representation. Learned counsel submits that the reasons provided in the letter as contained in Annexure 'P/11' are now under challenge.

Mr. Piyush Lal, learned counsel representing the BIADA submits that so far as the earlier order of cancellation of allotment of plot and the appellate order refusing to interfere with the cancellation order are concerned, those have attained finality, however, in case the petitioner has any grievance with the reasons provided in Annexure 'P/11', he has a remedy available under the BIADA Regulations, 2007 to prefer an appeal before the Principal Secretary, Department of Industries, Government of Bihar.



In the aforesaid view of the matter, learned counsel for the petitioner seeks permission to withdraw this writ application with liberty to avail his remedy before the appropriate authority in terms of BIADA Regulation, 2007 within a period of 30 days from today. In case the petitioner applies for the remedy under BIADA Regulation, 2007 before the appropriate authority, the same may be considered in accordance with law. All questions are left open.

This writ application is disposed off as withdrawn with the liberty aforesaid.

(Rajeev Ranjan Prasad, J)

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