

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1418 of 2018

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R. M. P. Madhur son of Late Awadhesh Nandan Prasad, Resident of Mohalla -
Rajendra Nagar, Police Station - Chitragupta Nagar, District - Khagaria.

... .. Petitioner

Versus

1. The Union of India through the Ministry of Food Processing Industries,
Panch Sheel Bhawan, August Kranti Marg, New Delhi-110049.
2. The State of Bihar through The Secretary, Revenue and Land Reforms,
Bihar, Patna.
3. The Deputy Secretary, Revenue and Land Reforms, Bihar, Patna.
4. The District Collector, Khagaria.
5. The Additional Collector cum Land Acquisition Officer, Khagaria.
6. The Managing Director, Bihar Industrial Area Development Authorities,
Bihar, Patna.
7. The Special Secretary, Department of Industry Bihar, Patna.
8. The S.D.O. Khagaria.
9. M/s Pristine Mega Food Park Private Limited through its Proprietor Mr.
Ashish Kumar Jha, 13th Floor, Chiranjibi Tower, 43 Nehru Place, New
Delhi – 110019.

... .. Respondents

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Appearance :

For the Petitioner/s	:	Mr. Abdul Manan Khan, Sr. Adv.
For the Respondent No. 9:	:	Mr. P.K. Shahi, Sr. Adv.
For the U.O.I.	:	Ms. Nivedita Nirvikar, Adv.
For the BIADA	:	Mr. Lalit Kishore, Sr. Adv.
		Ms. Binita Singh, Adv.

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
and
HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE JYOTI SARAN)

3 05-04-2019 Heard Mr. Abdul Manan Khan, learned Senior

Counsel for the petitioner, Mr. Lalit Kishore, learned Senior

Counsel representing the Bihar Industrial Area Development

Authority (BIADA), Ms. Nivedita Nirvikar, learned Central

Government Counsel representing the Union of India and Mr.



P.K. Shahi, learned Senior Counsel representing the private respondent.

The petitioner in Public Interest has questioned the action of the respondent authorities in the Government of India as well as BIADA in awarding the contract for setting up of Mega Food Parks, to the respondent no. 9 for the reasons so discussed in the writ petition, which we do not think it necessary to deal with at this stage in view of the counter affidavit filed on behalf of the BIADA, in which for the reasons so discussed in the counter affidavit they have initiated process for cancellation of the lease granted in favour of the respondent no. 9.

Mr. Lalit Kishore, learned Senior Counsel appearing for the BIADA while admitting that no final decision has been taken on the issue but in reference to the show cause notice issued to the respondent no. 9, a copy of which is enclosed at Annexures 4 and 5 to the counter affidavit, he submits that until such time that the proceeding so initiated reaches a conclusion, the writ at the present stage, is premature.

We are persuaded with the submissions of Mr. Lalit Kishore because it is only as and when the contract for setting up for Mega Food Parks attains a finality that any cause arises for the petitioner or for any public spirited person to question



the process but the stage at which the issue rests today, we are not required to pass any order at this stage and we dispose of the writ petition accordingly, leaving it open for the petitioner, if so advised, to move the appropriate forum at the appropriate stage, if any cause arises.

(Jyoti Saran, J)

(Ashutosh Kumar, J)

Archana/
Surendra/-

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