

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.24088 of 2018

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M/s Maa Durga Industries Plot No. C/19, Industrial Estate, Patliputra, P.S.- Patliputra, Patna-13, through its proprietor Sri Sanjay Kumar Giri, S/O Late Krishnadeo Giri, Resident of Village- Abbupur, P.O- Malikpur, PS- Karai Pursurai, Dist.- Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Industries, Government of Bihar, Vikash Bhawan, new Secretariat, Baily Road, Patna.
2. The Industrial Development Commissioner, Government of Bihar-cum-Chairman, Bihar Industrial Area Development Authority, Patna.
3. Bihar Industrial Development Authority (BIADA) First Floor, Udyog Bhawan, East Gandhi Maidan, Patna- 800004 through its managing Director.
4. The Managing Director, Bihar Industrial Development Authority (BIADA), First Floor, Udyog Bhawan, East Gandhi Maidan, Patna
5. The Executive Director, Bihar Industrial Development Authority (BIADA), First Floor, Udyog Bhawan, East Gandhi Maidan, Patna
6. The Secretary, Bihar Industrial Development Authority (BIADA), First Floor, Udyog Bhawan, East Gandhi Maidan, Patna.
7. The Development Officer, Patliputra Industrial Estate, Patna.
8. The Area Officer, Patliputra Industrial Estate, BIADA, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Shantanu Kumar
For the State	:	Mr. Rakesh Ambastha, AC to AAG-7
For the BIADA	:	Mr. Kumar Abhimanyu Pratap

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

7 29-08-2019 Shorn of the details and the allegations/ counter allegations levelled upon each other by the respective parties, the present writ petition is being disposed off with the agreement of the parties inasmuch as this Court feels that the issue under consideration does not require any adjudication at the moment.



In fact, the learned counsel appearing for the petitioner has fairly submitted that without the respondent BIADA authorities being vindictive in their action, may permit the petitioner to install a Makhana Packaging Unit and engage in the said business, however, three months be granted for the purposes of setting up the unit and in case the petitioner does not install the Makhana Packaging Unit and does not start production within a period of three months from today, the petitioner undertakes to vacate the land in question in favour of the respondent BIADA.

The learned counsel appearing for the respondent BIADA authorities does not oppose the aforesaid move. However, he submits that the respondent BIADA authorities be granted liberty to remove the petitioner even by issuing police force in case no Makhana Packaging Unit is established within a period of three months from today or in case the petitioner engages in some other activities.

Accordingly, the present writ petition stands disposed off with liberty to the petitioner to install the Makhana Packaging Unit and start operation of the same within a period of three months from today and with a further direction to the BIADA authorities that in case no such unit is installed for the



purposes of Makhana Packaging within a period of three months from today, they would evict the petitioner from the premises in question by using police force.

(Mohit Kumar Shah, J)

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