

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.1444 of 2019

In

Miscellaneous Jurisdiction Case No.4071 of 2019

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Arena Food and Agro Industries Private Limited a company incorporated under the provisions of the Companies Act, 1956, having its registered office at Village Nimi, P.S. Shekhopur, District Nawada, through its Director, Radhey Sharma, aged about 45 years, son of Harangi Singh, resident of Village Nimmi, P.S. Shekhopur, District Sheikhpura.

... .. Appellant/s

Versus

1. The State of Bihar through the Principal Secretary, Mines and Geology Department, Government of Bihar, Vikas Bhawan, Bailey Road, Patna.
2. The Principal Secretary, Mines and Geology Department, Government of Bihar, Vikas Bhawan, Bailey Road, Patna.
3. The Additional Secretary, Mines and Geology Department, Government of Bihar, Vikas Bhawan, Bailey Road, Patna.
4. The Assistant Director, Mines and Geology Department, Government of Bihar, Vikas Bhawan, Bailey Road, Patna.
5. The District Magistrate cum Collector, Sheikhpura.
6. The Mines Development Officer, Sheikhpura.

... .. Respondent/s

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Appearance :

For the Appellant/s	:	Mr.Suraj Samdarshi, Adv.
For the Respondent/s	:	Mr.Gyan Prakash Ojha, GA-7
For Mines Deptt.		Mr. Naresh Dixit, Adv.
		Ms. Kalpana, Adv.

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 26-11-2019

This appeal is directed against the judgment and order dated 24.10.2019 passed in M.J.C. No.4071/2019 whereby and whereunder the Hon'ble Single Judge has dismissed the modification application of the appellant.



The only issue raised in the present appeal is that the learned Single Judge erred in not extending the time by 18 days, the period which the respondents took in allowing the petitioner to carry on the work.

Petitioner is already running late in depositing the money in terms of the schedule fixed by the learned Single Judge.

Having heard learned counsel for the appellant, we find no infirmity in the impugned order. The Writ Court appears to have been more than indulgent in granting time to the petitioner to deposit the amount in six equal instalments spread over a period of time.

As such, we dismiss the present appeal leaving the question of maintainability open.

(Sanjay Karol, CJ)

(Dinesh Kumar Singh, J)

K.C.Jha/-

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