

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No. 2839 of 2019**

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M/s Civmil Industries Pvt. Ltd. having its registered office at 1/1, Industrial Estate, P.O. and P.S. Patliputra, Patna- 800013, through its Managing Director Dr. Ravindra Kumar Watsa- Male-about 65 years son of Late Ram Krishna Prasad Narayan Singh resident of Awadh Niwas, Parbat Kunj, North Patliputra Colony, P.O. and P.S. Patliputra, Patna- 800013

... .. Petitioner/s

Versus

1. Bihar Industrial Area Development Authority and ors through its Managing Director situated at 1st floor, Udyog Bhawan, East of Gandhi Maidan, Patna-800004.
2. The Managing Director, Bihar Industrial Area Development Authority, 1st Floor, Udyog Bhawan, East of Gandhi Maidan, Patna- 800004.
3. The Executive Director, Bihar Industrial Area Development Authority, 1st Floor, Udyog Bhawan, East of Gandhi Maidan, Patna- 800004.
4. The Area in-charge, Bihar Industrial Area Development Authority Patliputra, Industrial Estate, Patna- 800013.

... .. Respondent/s

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**Appearance :**

For the Petitioner/s : Mr.Arvind Kumar  
For the Respondent/s : Mr.Lalit Kishore

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**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH**  
**ORAL JUDGMENT**

**Date : 20-02-2020**

1. The present writ petition has been filed to direct the respondents to dispose off the application of the petitioner dated 26.09.2016 for diversification/ tie-up arrangement upon the industrial plot allotted to the petitioner.

2. At the outset, the learned Senior counsel for the petitioner has limited his argument to the averments made in paragraph no. 28 of the counter affidavit filed on behalf of the respondents no. 1 to 4, which is reproduced hereinbelow :-



*“ That it is to humbly submit and state that a last notice was served upon the petitioner vide Memo no. 4596/D dated 25.10.2016 whereby the petitioner was apprised of the previous communications and the entire facts whereby it was called upon as under :*

*‘ You are hereby directed to immediately submit a fresh application for the diversification within 15 days in terms of order dated 18.03.2015 passed by the Hon’ble High Court in L.P.a. no. 353/2008, BIADA v. M/s Deepak Paints and ors. as well as Rules/ Regulations/ Circular etc. of BIADA, failing which the Authority will be constrained to initiate the appropriate legal proceeding and the application for the diversification would be deemed to have been waived.’ ”*

3. It is thus submitted by the learned Senior counsel for the petitioner that the petitioner would be filing a fresh application for diversification within a period of four weeks from today and the same be directed to be disposed of expeditiously.

4. The learned counsel appearing for the BIADA has got no objection to the aforesaid submission of the learned Senior counsel for the petitioner, inasmuch as this fact is stated in paragraph no. 28 of the counter affidavit filed by the BIADA itself.



5. Having regard to the facts and circumstances of the case, I deem it fit and appropriate to dispose off the present writ petition with liberty to the petitioner to file a fresh application for diversification in terms of the order dated 18.03.2015, passed by the learned Division Bench of this Court in L.P.A. no. 353 of 2008 within a period of four weeks from today, whereupon BIADA would take appropriate decision in accordance with law expeditiously.

6. The present writ petition stands disposed off on the aforesaid terms.

**(Mohit Kumar Shah, J)**

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| Uploading Date    | 27.02.2020 |
| Transmission Date | NA         |

