

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.421 of 2021

In

Civil Writ Jurisdiction Case No.7336 of 2020

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M/s Sri Ram Enterprises, through its Proprietor Smt. Nanda Devi aged about 57 years (Female) wife of Shri Vinay Kumar, resident of Amit Electronics, Brahmpur, Sakri Cinema Road, Darbhanga - 847239.

... .. Appellant/s

Versus

1. The Bihar Industrial Area Development Authority (BIADA) Udyog Bhawan, Gandhi Maidan, Patna through its Managing Director.
2. The Secretary, Department of Industries - cum - Chairman, Bihar Industrial Area Development Authority (BIADA), Udyog Vibhag, Patna.
3. The Managing Director, Bihar Industrial Area Development Authority (BIADA), Udyog Bhawan, Gandhi Maidan, Patna.
4. The Executive Director, Bihar Industrial Area Development Authority (BIADA), Regional Office, Darbhanga.

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Sanjay Singh, Senior Advocate

For the Respondent/s :

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE RAJAN GUPTA

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE RAJAN GUPTA)

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(The proceedings of the Court are being conducted by Hon'ble the Chief Justice/Hon'ble Judges through Video Conferencing from their residential offices /residences. Also, the Advocates and the Staffs joined the proceedings through Video Conferencing from their residences/offices.)

Date : 22-10-2021

Heard learned counsel for the parties.



The present Letters Patent Appeal has been preferred against the judgment dated 21.10.2020 passed by a learned Single Judge of this Court in CWJC No. 7336 of 2020 titled as M/s Shri Ram Enterprises vs. The Bihar Industrial Development Authority and Ors.

While disposing of the writ petition, learned Single Judge made the following observations, which is reproduced hereinunder:

“34. However, it would be open for the petitioner to approach the BIADA authorities within a period of 15 days and make a fervent request with a specific timeline for starting the construction work/commencing the industrial activity. If such a request is made, it is expected that the concerned authorities of BIADA would look into the matter, if feasible and desirable, which would be in the realms of complete discretion of the authorities concerned.”

Mr. Sanjay Singh, learned senior counsel, confines his argument to the question that BIADA authorities did not consider his request with regard to the observation aforesaid. In view of the aforesaid, he submits that he may be allowed to file an appropriate application before the learned Single Judge to bring to the Court's notice the inaction on the part of the BIADA.

We permit him to do so.



In case such an application is filed, the learned Single Judge may take appropriate decision thereon expeditiously.

Accordingly, the appeal stands disposed of.

Interlocutory Application(s), if any, stands disposed of.

(Sanjay Karol, CJ)

(Rajan Gupta, J)

P. Kumar

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CAV DATE	
Uploading Date	
Transmission Date	

