

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.201 of 2021

M/s. Dina Metals Limited, a Company incorporated under the provisions of the Companies Act, 1956 having its registered office at Abdul Rahmanpur Road, Didarganj, Patna City, Patna- 800009, through its Managing Director, Anand Kumar Sinha, aged about 56 years (Male), Son of Late Sharda Nand Prasad, resident of N.T.P.C. Colony, Ramkrishna Nagar, P.S.- Ramkrishan Nagar, P.O.- New Jaganpura, District- Patna- 800027.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Industries, Government of Bihar, Patna.
2. The Principal Secretary, Department of Industries, Government of Bihar, 2nd Floor, Vikas Bhawan, Bailey Road, Patna-800015.
3. The Director of Industries, Bihar, 2nd Floor, Vikas Bhawan, Bailey Road, Patna-800015.
4. The Director, Technical Development, Department of Industries, Government of Bihar, 2nd Floor, Vikas Bhawan, Bailey Road, Patna-800015.
5. The General Manager, District Industries Centre, Udyog Bhawan, East Gandhi Maidan, Patna.
6. The South Bihar Power Distribution Company Limited, Vidyut Bhawan, Bailey Road, Patna, through its Managing Director.
7. The General Manager (Revenue), South Bihar Power Distribution Company Limited, Vidyut Bhawan, Bailey Road, Patna.
8. The Electrical Superintending Engineer, South Bihar Power Distribution Company Limited, Patna Electric Supply Undertaking (East), Shivalaya Market, Ashok Rajpath, Patna.
9. The Electrical Executive Engineer (H.T. Cell), South Bihar Power Distribution Company Limited, Vidyut Bhawan, Bailey Road, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Suraj Samdarshi, Advocate
For the Respondent/s	:	Mr. Suresh Kumar, AC to GP-1
For the Resp. Company	:	Mr. Vinay Kirti Singh, Sr. Advocate
		Mr. Vijay Kumar Verma, Advocate
		Mr. Ahileshwar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

and

HONOURABLE MR. JUSTICE MADHURESH PRASAD

ORAL JUDGMENT



(Per: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH)

Date : 30-11-2021

Heard learned counsel for the petitioner and learned counsel for the respondents.

This writ application has been filed seeking quashing of Memo No. 3152 dated 13.10.2017 issued by the Director of Industries, whereby petitioner's claim for grant of electrical subsidy under the Bihar Industrial Incentive Policy, 2011 (hereinafter referred to as '2011 Policy') has been rejected. The petitioner is further seeking a direction to the respondents to sanction and disburse electrical subsidy for which he is entitled to, in terms of the promise made by the State Government under the said 2011 Policy.

Learned counsel representing the State of Bihar states that a counter affidavit has been filed in the Registry. He has submitted that the petitioner's claim has been referred to the Interpretation and Resolution Committee constituted under the said 2011 Policy, for resolution. Further the petitioner has been paid AMG reimbursement and for electricity duty reimbursement, the same is under process. He has also informed that a letter has been issued by the Industries Department, Government of Bihar dated 25.08.2021 in favour of the South Bihar Power Distribution Company, which contains a list of eligible units including the unit



of this petitioner with a recommendation for reimbursement of AMG/MMG.

Learned senior counsel appearing on behalf of South Bihar Power Distribution Company (respondent no. 6) submits that the petitioner’s claim for electrical subsidy shall be considered once an On-line application is submitted by him in this regard.

Considering the facts and circumstances of this case, this application stands disposed of with an observation that if the petitioner submits his application On-line within a fortnight from today, its disposal should be expedited by taking a final decision within two months thereafter.

(Chakradhari Sharan Singh, J)

(Madhuresh Prasad, J)

uday/-

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	09.12.2021
Transmission Date	N.A.

