

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.635 of 2019

In

Civil Writ Jurisdiction Case No.6478 of 2019

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Ravindra Kumar s/o Radha Madhav Prasad Proprietor of M/s Sidhi Rice Mill
Industrial Development Centre Maranga, Purnea, Resident of Village-
Korathlari, Maithil Tola, Mohalla- Madhubani, District- Purnea.

... .. Appellant/s

Versus

1. The State of Bihar through Principal Secretary, Industry Department, Govt. of Bihar, Patna.
2. The Principal Secretary Department of Industries Govt. of Bihar, Patna.
3. The Managing Director Bihar Industrial Area Development Authority, Bihar, Patna.
4. The Development Officer Regional Officer, Bihar Industrial Area Development Authority, Bhagalpur.

... .. Respondent/s

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Appearance :

For the Appellant/s	:	Mr.Shashi Bhushan Kumar, Advocate
For the Respondent/s	:	Mr.Yogendra Prasad Sinha A.A.G. 7
		Mr. Shankar Kumar, AC to AAG 7

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

3 04-02-2021 Present appeal is directed against the order dated 24.04.2019 passed in C.W.J.C. No. 6478 of 2019, titled as Ravindra Kumar Vs. The State of Bihar & Ors., by the learned single Bench of this Court whereby the petitioner's challenge to the order of cancellation of allotment of the property stands repelled.

The appeal is disposed of on the following mutually



agreeable terms:

(a) The appellant, who, undisputedly, is in possession of the land/property, subject-matter of the present lis, is ready and willing to deposit the entire arrears along with interest chargeable on commercial rates by the bank, from the date of default, till the date of payment;

(b) This, the appellant undertakes to do so, within a period of three months from today. His undertaking is accepted and taken on record. Consequences of breach thereof stands explained to the appellant through the learned counsel. The Court would not hesitate to initiate appropriate proceedings, including under the Contempt of Courts Act.

(c) The appellant shall make himself available in the office of Respondent No. 3, namely The Managing Director, Bihar Industrial Area Development Authority, Bihar on 19.02.2021 at 10:30 a.m., and within one week, the entire amount due and payable along with up-to-date interest shall be communicated to the appellant.



Thereafter, within a period of three months, as per the undertaking, the appellant shall deposit the entire amount to the respondent.

As such, subject to the same, the cancellation of orders dated 15.07.2015 and 12.12.2018, as contained in Annexures 5 and 6, issued by respondent BIADA shall stand quashed. So also the findings returned vide impugned judgment dated 24.04.2019 passed in C.W.J.C. No. 6478 of 2019 (Ravindra Kumar Vs. The State of Bihar & Ors.).

Interlocutory application, if any, shall also stand disposed of.

(Sanjay Karol, CJ)

(S. Kumar, J)

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