

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.3129 of 2022**

Prabha Electro Castings Private Limited a Company incorporated Under the Provisions of the Companies Act 1965, having its Factory at Industrial Area, Raxaul, East Champaran, through its Director Sri Binod Kumar Sarraf, aged About 60 Years (Male), Son of Late Mohan Lal Sarraf Resident Of Shiv Mandir, Nepali Tola, P.O. and P.S. Ramnagar, District-West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Industries, Government of Bihar, Patna.
2. The principal Secreary, Department of Industries, Government of Bihar, 2nd Floor, Vikas Bhawan, Bailey Road, Patna-800015.
3. Bihar Industrial Area Development Authority, through its Managing Director, 1st Floor, Udyog Bhawan, East Gandhi Maidan, Patna-800004, Bihar.
4. The Managing Director, Bihar Industrial Area Development Authority, 1st Floor Udyog Bhawan, East Gandhi Maidan, Patna-800004, Bihar.
5. The Executive Director, Bihar Industrial Area Development Authority, Regional Office-Muzaffarpur.
6. The Area In-Charge, Raxaul Industrial Area, West Champaran.

... .. Respondent/s

**Appearance :**

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| For the Petitioner/s | : | Mr.Suraj Samdarshi, Advocate    |
| For the Respondent/s | : | Mr.Subhash Pd. Singh, GA-3      |
|                      |   | Mr. Lalit Kishore, Sr. Advocate |
|                      |   | Mr. Prashant Pratap, Advocate   |
|                      |   | Ms. Ruchika Raj, Advocate       |

**CORAM: HONOURABLE THE CHIEF JUSTICE**  
**and**  
**HONOURABLE MR. JUSTICE S. KUMAR**  
**ORAL ORDER**

**(Per: HONOURABLE THE CHIEF JUSTICE)**

2      20-04-2022      Petitioner has prayed for the following relief(s):-

i) To issue an appropriate writ, order or direction in the nature of certiorari for quashing letter no. 09/Rax dated 14.02.2022 issued by the Respondent Area In- Charge,



Raxaul Industrial Area, whereby pursuant to cancellation of allotment, the Sub Divisional Magistrate has been deputed to take possession of the plot having area of 2.27 acres on 18.02.2022 and the petitioner has been directed to vacate the premises.

ii) To issue an appropriate writ order or direction in the nature of mandamus commanding the Respondents to refrain from taking possession of plot allotted to the petitioner having an Area of 2.27 Acres in Raxaul Industrial Area till the pronouncement of the judgement in CWJC No. 9647 of 2020 in which judgement was reserved by this Hon'ble Court on 22.12.2021.

iii) This Hon'ble Court may adjudicate and hold that the impugned letter no. letter no. 09/Rax dated 14.02.2022 issued by the Respondent Area In-Charge is bad in the eyes of law since this Hon'ble Court is already seized with the matter in CWJC No. 9647 of 2020 in which judgement is reserved and yet to be pronounced.

iv) This Hon'ble Court may further adjudicate and hold that proprietary demanded that the respondent authorities should have refrained from taking any coercive steps against the petitioner till the disposal of CWJC No.9647 of 2020.

v) This Hon'ble Court may further adjudicate and hold that the Petitioner cannot be



dispossessed from the land allotted to it prior to adjudication regarding legality of cancellation of allotment by this Hon'ble Court.

vi) To grant any other relief or reliefs which the Petitioner may be found entitled to in the facts and circumstances of the case.”

Learned counsel for the petitioner, under instructions, states that, in view of the intervening developments, the petition may be permitted to be withdrawn.

Prayer allowed.

Petition is disposed of as withdrawn.

Interlocutory application(s), if any, shall also stand disposed of.

**(Sanjay Karol, CJ)**

**( S. Kumar, J)**

K.C.Jha/DKS

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