

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4018 of 2022

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M/s Satya Glass Industries Industrial Area, Buxar under Buxar Police Station, District-Buxar through its Proprietor Kalyani Devi, aged about 51 years, widow of Late Vinay Bhushan Tiwari, resident of Buxar, Police Station-Buxar, District-Buxar.

... .. Petitioner/s

Versus

1. The State of Bihar through Collector, Patna.
2. Managing Director, Bihar Industrial Area Development Authority, East of Gandhi Maidan, Patna.
3. Executive Director, Bihar Industrial Area Development Authority, Regional Office East of Gandhi Maidan, Patna.
4. Area In-charge, Industrial Area, Buxar under Buxar Police Station, District-Buxar.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Praveen Kumar, Adv.
For the Respondent/s	:	Mr.Abbas Haider (SC 6)
For the BIADA	:	Mr. Kumar Priya Ranjan, Adv.
		Mr. Pallav, Adv.

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

(Per: HONOURABLE THE CHIEF JUSTICE)

2 05-05-2022 Petitioner has prayed for following relief(s) “-

“(i) For issuance of appropriate writ quashing and setting aside the order dated 12.11.2021 passed by Learned Additional Chief Secretary, Department of Industries, Bihar, Patna in Appeal No.49/2020 M/s Satya Glass Industries, I.A. Buxar Versus BIADA whereby and where under the Learned Additional Chief Secretary has been pleased to reject the appeal filed by the petitioner and deprive this petitioner from deposit the amount of Rs.4,02,734/- by way of one time settlement scheme.



(ii) Further for quashing and setting aside

the office order bearing No.1529 dated 30.05.2020 through which the allotment made in favour of the petitioner with respect to Plot No.0/13 and 14/D total area 30000 square feet was cancelled in view of Section 6(2)(a) of BIADA Amended Act, 2017 besides other relevant rules and provisions.

(iii) For declaration that in view of letter No.1704/D COMP No.46064 issued by Development Officer BIADA, Patna on 02.03.2019 this petitioner is liable to pay Rs.4,40,183/- by way of one time settlement.

(iv) For issuance of any other writ/writs, order/orders, direction/directions for which this petitioner is found entitle on the fact and circumstances involved in the instant writ application.”

Petitioner is ready and willing to furnish an undertaking for not only reviving the unit to its optimum capacity, but also paying all outstanding dues to the respondent within a time-bound period.

Let such an undertaking be furnished within a period of four weeks.

After the matter was heard for some time, learned counsel for the petitioner seeks disposal of the present petition with liberty to approach respondent No. 2, namely Managing Director, Bihar Industrial Area Development Authority, East of Gandhi Maidan, Patna giving the offer in terms of the aforesaid undertaking which is accepted and taken on record.



Petition is disposed of with the liberty aforesaid, clarifying that if the petitioner fails to abide by the undertaking, it would be open for the respondents to take over possession, without any demur.

Liberty reserved to approach this Court on the same and subsequent cause of action, should the need so arise subsequently.

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

(Sanjay Karol, CJ)

(S. Kumar, J)

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