

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5508 of 2022

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M/s Sona Gold Agrochem Pvt. Ltd. a Company duly registered under the companies act, 1956 having its registered officer at Mahuli Road, Karmalichak, Patna City, Dist. - Patna through its Managing Director, Amar Kasera aged about 53 years, male, Son of Late Shree Gopal Kasera, Resident of 139-A, Block - B Road No. 5, Opposite- Sakha Maidhan, Rajendra Nagar, P.S. - Kadam Kuan, District - Patna.

... .. Petitioner/s

Versus

1. The Bihar State through the Principal Secretary, Department of Industry, Govt. of Bihar, Vikash Bhawan, Bailey Road, Patna.
2. The Director of Industries, Govt. of Bihar, Vikash Bhawan, Bailey Road, Patna.
3. The State Investment Promotion Board, Bihar Patna.
4. The General Manager, District Industries Centre, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Santosh Kumar Singh, Advocate
For the Respondent/s : Mr.Kinkar Kumar, SC-9

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 18-05-2022

Petitioner has prayed for the following relief(s):-

“(a)For issuance of order/orders, direction/directions or writ/writs in the nature of mandamus, directing the respondent authorities to grant the subsidy of the petitioner company in terms of Industrial policy 2011.

(b) For issuance of direction/directions to the respondent authority to sanction the subsidy in terms of the policy of the Government.”



It is brought to our notice that the decision rendered by a coordinate Bench of this Court in CWJC No. 12104 of 2018, titled as **M/s Sunny Stars Hotels Private Limited Vs. The State of Bihar & Ors**, has attained finality, inasmuch as, the Special Leave Petition preferred by the State stands dismissed by Hon'ble the Apex Court vide order dated 17.01.2020 passed in SLP (Civil) No. 43744 of 2021.

Parties agree that the petition can be disposed of.

Learned senior counsel for the petitioner, states that certain amount already stands paid to the petitioner. As such, petitioner shall be content if the petition is disposed of with liberty granted to the petitioner to approach the authority concerned by filing a representation within a period of four weeks, with a direction to the authority concerned to consider and decide the same within a period of four weeks from the date of its presentation.

Prayer allowed.

Without expressing any opinion on merits of the claim, petition is disposed of with the liberty aforesaid. All issues on facts and law are left open.

Needless to say that while considering such request, principles of natural justice shall be followed and due



petition(s), if so required and desired.

Equally, liberty is reserved to the petitioner to take recourse to such alternative remedies as are otherwise available in accordance with law.

We are hopeful that as and when petitioner takes recourse to such remedies, as are otherwise available in law, before the appropriate forum, the same shall be dealt with, in accordance with law and with reasonable dispatch.

The petition stands disposed of in the aforesaid terms.

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

(Sanjay Karol, CJ)

(Satyavrat Verma, J)

Rishi/-

AFR/NAFR	
CAV DATE	
Uploading Date	20.05.2022
Transmission Date	

