

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11381 of 2021

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M/s. Dina Iron and Steel Limited, having its registered office at Abdul Rahmanpur Road, Didarganj, Katra, Patna City, District Patna, through its Director, Sanjay Kumar Bhartiya, aged about 51 years (Male), son of Late Deenn Dayal Bhartiya, resident of Rambagh Chowk, Jhauganj, Patnacity, District- Patna.

... .. 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- 800 015.
3. The State Investment Promotion Board, through its Chairman- cum Principal Secretary, Department of Industries, Government of Bihar, Bihar.
4. The Director, Technical Development, Department of Industries, Bihar, Patna.
5. The General Manager, District Industries Centre, Udyog Bhawan, East Gandhi Maidan, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Suraj Samdarshi, Advocate

For the Respondent/s : Mr.Mujtabaul Haque, G.P.-12

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH
and
HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH)

3 08-03-2022 The petitioner's claim for grant of capital subsidy under Bihar Industrial Incentive Policy, 2011 has been rejected by an order dated 13.10.2017, passed by the Director of Industries, Government of Bihar on the ground that there is no approval by the competent authority on the proposal for investment for establishment of the industry in question with respect to expansion of petitioner's industry, namely, M/s. Dina Iron & Steel Limited at Didarganj.



Our attention has been drawn to Annexure 3 of the writ application to contend that the State Investment Promotion Board (SIPB) has granted approval for the said investment. In the light of the Division Bench decision of this Court in the case of *M/s. Sunny Stars Hotels Private Ltd. v. State of Bihar*, reported in *2020(2) BLJ 55*, it is being contended that the petitioner has the approval of the competent authority.

Considering the facts and circumstances of the case, this application is disposed of with an observation that let the petitioner approach the concerned respondent under the Department of Industries, with a copy of this Court's decision in the case of *M/s. Sunny Stars Hotels Private Ltd. v. State of Bihar*, reported in *2020(2) BLJ 55*, which has been affirmed by the Supreme Court. The Court expects that the concerned authority shall take a final decision on the petitioner's claim in the light of this Court's decision in the case of *M/s. Sunny Stars Hotels Private Ltd.* (supra) within two months from the date of receipt/production of a copy of this order.

(Chakradhari Sharan Singh, J)

(Madhuresh Prasad, J)

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