

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7865 of 2022

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M/S Ekta Rice Mill Industrial Area, Kumar Bagh through its proprietor Nand Kishore Prasad, Male, aged 45 years, son of Vijay Kumar Gupta, Chanpatiya, Ward No. 6, Near Bajrang Chowk, P.S.-Chanpatiya, District-West Champaran. Petitioner/s

Versus

1. The State of Bihar
2. The Principal Secretary, Department of Industries, Government of Bihar, Patna.
3. The Managing Director, Bihar Industrial Area Development Authority (BIADA), Udyog Bhawan, Gandhi Maidan, Patna.
4. The Executive Director, Bihar Industrial Area Development Authority (BIADA), Muzaffarpur.
5. The Development Officer, Bihar Industrial Area Development Authority (BIADA), Muzaffarpur.
6. The Area In Charge, Industrial Area Kumar Bagh, West Champaran.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Shashi Bhushan Kumar, Advocate
For the Respondent/s	:	Mr. Ravish Chandra, AC to SC 6
For the BIADA	:	Mr. Pankaj Kumar Sinha, Advocate
		Mr. Devesh Shankaran, Advocate

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE S. KUMAR

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 11-07-2022

Heard learned counsel for the parties.

Petitioner has prayed for following relief:-

- i. For quashing of the office order bearing Memo No. 734 dated 14.08.2020 passed by Managing Director Bihar Industrial Area Development authority (herein after referred as BIADA) whereby and where under the land bearing plot No. C- 101 (P) measuring an area of 10,890 sq. feet which was allotted to the petitioner vide allotment letter No. 687 dated 10.05.2010 for the establishment of the Rice Mill Industry within the Industrial Area Kumar bagh has been cancelled arbitrarily, since the reason

recorded there in is nonest not sustainable that too being
perverse and in complete violation the principles of Natural
Justice.

- ii. For quashing the order dated 14.02.2022 passed by Additional
Chief Secretary, Department of Industry Bihar, Patna in Appeal
No. 64/ 2020 which was preferred by this petitioner against
the order passed by the Managing Director BIADA.
- iii. For direction to the respondents to allow this petitioner to run
his business from the land allotted to him in the Kumar bag
Industrial Area, West Champaran.
- iv. For other reliefs in the facts and circumstances of the case.

Present petition, as prayed for, is permitted to be
withdrawn.

At this stage, Shri Shashi Bhushan Kumar, learned
counsel for the petitioner, states that the period for compliance
of the impugned order dated 14.2.2022 passed in Appeal
No.64/2020, titled as M/s. Ekta Rice Mill, I.A., Kumarbagh Vs.
BIADA (Annexure 16, Page 93) be extended by three months
from today.

Learned counsel for the State has no objection to the
same.

Accordingly, the period for compliance of the impugned order dated 14.2.2022 passed in Appeal No.64/2020, titled as M/s. Ekta Rice Mill, I.A., Kumarbagh Vs. BIADA (Annexure 16, Page 93) is extended by three months from today.

However, it stands clarified that withdrawal is unconditional and failure to comply with the order, subject matter of the present petition, would entail all consequences.

The petition stands disposed of as withdrawn with the aforesaid liberty.

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

(Sanjay Karol, CJ)

(S. Kumar, J)

Sanjay/- Ranjan

AFR/NAFR	
CAV DATE	
Uploading Date	12.07.2022
Transmission Date	