

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11114 of 2022

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The Best Telecom Pvt. Ltd. 103, Ground Floor, Surya Nanda Apartment,
North of Hospito India, Buddha Colony, Patna - 800001, through its
Managing Director Pervez Ahmad, aged about 71 years, son of Late Dr. Tahir
Hussain, Resident of B- 55, Ground Floor, PCC, Kankar bagh, Patna - 800020
(Bihar), P.O. Lohia Nagar, P.S. - Kankarbagh, District - Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Secretary, Department of Industries, Government of Bihar, Patna.
2. The Chairman-Cum-Managing Director, Bihar Industrial Area Development Authority, 1st Floor, Udyog Bhawan, East Gandhi Maidan, Patna - 800004.
3. The General Manager, Bihar Industrial Area Development Authority, 1st Floor, Udyog Bhawan, East Gandhi Maidan, Patna - 800004.
4. The Deputy General Manager, Bihar Industrial Area Development Authority, 1st Floor, Udyog Bhawan, East Gandhi Maidan, Patna - 800004.
5. The Joint Managing Director, Bihar Industrial Area Development Authority, 1st Floor, Udyog Bhawan, East Gandhi Maidan, Patna - 800004.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Ranjeet Kumar, Advocate Mr. Ayush Kumar, Advocate Mr. Kanishk Kaustubh, Advocate Mr. Shikhar Mani, Advocate
For the BIADA	:	Mr. Kumar Priya Ranjan, Advocate Mr. Ankur Apurv Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJAN GUPTA
and
HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE RAJAN GUPTA)

2 23-08-2022 Heard learned counsel for the parties.

The present writ petition has been filed for setting



aside the order as contained in Memo No. 2803/E dated 30.06.2022, passed by the Joint Managing Director and Deputy General Manager, BIADA.

Learned counsel for the petitioner, at the outset, submits that the order is non speaking in nature. His averments have not been taken into consideration as he wanted to surrender the plot in terms of Clause 6(e) of the lease agreement. He has made it clear that neither he is able to run the business nor he has any son who can take it over. However, the order passed by the BIADA basically say that the reply of the petitioner has not been found satisfactory and rejected his representation.

On a query being put to learned counsel for the BIADA, that the matter can be reconsidered in terms of the relevant clause of the agreement to surrender, he has no objection.

Accordingly, no further adjudication is necessary.

Liberty is thus granted to BIADA to pass a fresh order in light of the aforesaid observations of this Court as per law pertaining to surrender of plots. Needful be done within one month from today.

At this stage, learned counsel for the BIADA also assures the Court that the premises will be unsealed in order to



enable the petitioner to remove his movable or immovable items, if any, lying in the premises and the premises will be sealed thereafter.

The writ petition stands disposed off.

(Rajan Gupta, J)

(Dr. Anshuman, J)

P. Kumar

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