

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12667 of 2022

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1. Priyadarshi Modern Rice Mill Private Limited through its Director, Ranjeet Kumar, having registered office at Road No. 3, Kazipur Quarter, Patna, PIN-800004.
 2. Ranjeet Kumar, Son of Krishnandan Sharma, Resident of Mahammadpur Korji, P.S.- Phulwari Sarif, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Department of Industries, Government of Bihar, Patna.
2. The Director Industries, Department of Industries, Government of Bihar, Patna.
3. The Director, Directorate of Technical Development, Department of Industries, Government of Bihar, Patna.
4. The Director, Directorate of Food Processing, Department of Industries, Government of Bihar, Patna.
5. The Deputy- Director, Directorate of Food Processing, Department of Industries, Government of Bihar, Patna.
6. General Manager, District Industrial Centre, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Sumit Kumar, Advocate
For the Respondent/s : Mr. Kinkar Kumar, SC 9

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE S. KUMAR

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

(The proceedings of the Court are being conducted by Hon'ble the Chief Justice/Hon'ble Judges through Video Conferencing from their residential offices/residences. Also the Advocates and the Staffs joined the proceedings through Video Conferencing from their residences/offices.)

Date : 02-09-2022

Heard learned counsel for the parties.

Petitioners have prayed for the following relief(s):-

“For issuance of writ of mandamus for directing/commanding the respondent authorities to grant the incentive to the petitioner company by way of



financial assistance as promised by the State Government vide BIHAR INDUSTRIAL INCENTIVE POLICY 2011, under “Scheme for Integrated Development of Food Processing Sector” followed by BIHAR INDUSTRIAL PROMOTION POLICY 2016.

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 counsel for the petitioners, states that certain amount already stands paid to the petitioners. As such, petitioners shall be content if the petition is disposed of with liberty granted to the petitioners 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 petitioners to take recourse to such alternative remedies as are otherwise available in accordance with law.

We are hopeful that as and when petitioners take 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)

(S. Kumar, J)

Sujit/-

AFR/NAFR	
CAV DATE	
Uploading Date	07.09.2022
Transmission Date	

