

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19143 of 2019

=====

Mirtunjay Kumar S/o Nand Lal Gupta R/o Maan Kunj, Near Shitala Mandir,
New Area, Dehri, Rohtas, Bihar-821307

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Department of Industries, Govt. of Bihar, Patna
2. The Principal Secretary Department of Industries, Govt. of Bihar patna
3. The Bihar Industries Area Development Authority through its Managing Director, Ist Floor, Udyog Bhawan, East Gandhi Maidan, Bihar, Patna-800004
4. The Executive Director Bihar Industries Area Development Authority, Ist Floor, Udyog Bhawan, East Gandhi Maidan, Bihar, Patna-800004
5. The Managing Director Bihar Industries Area Development Authority, Ist Floor, Udyog Bhawan, East Gandhi Maidan, Bihar, Patna-800004
6. The Area Incharge Dehri-on-Sone, Industrial Area Sasaram, District-Rohtas-812307
7. The Deputy Secretary Bihar Industries Area Development Authority, Ist Floor, Udyog Bhawan, East Gandhi Maidan, Bihar, Patna-800004

... .. Respondent/s

=====

Appearance :

For the Petitioner/s	:	Mr. Ravi Kumar, Advocate
For the Respondent/s	:	Mr. Rajiv Roy, GP-1
		Mr. Piyush Lal, Advocate
For the BIADA	:	Mr. Devesh Shankaran, Advocate
		Mr. Pankaj Kumar Sinha, Advocate

=====

CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

3 15-12-2022 Petitioner has prayed for the following relief(s):-

“(A) A writ in the nature of Certiorari or any other appropriate writ/s, order/s direction/s quashing the following:

(1) The order dated 08.11.2018 passed in Appeal Case No. 30 of 2015 by Principal Secretary,



Department of Industries, Bihar.

(2) The Memo No. 542 dated 23.01.2014 issued by order of Managing Director, Bihar Industrial Area Development Authority (hereinafter referred to as 'BIADA'), signature Patna issued under the of Executive Director, BIADA.

(B) A writ in the nature of Mandamus or any other appropriate writ/s, order/s direction/s for the following reliefs:

(1) To direct Respondent No. 4 to allot and physically hand over the land having an area of 1430 sq. feet vide Plot No. B-9 (P).

(2) To stay the order dated 08.11.2018 passed in Appeal Case No. 30 of 2015 by Principal Secretary, Department of Industries, Bihar.

(3) To stay the Memo No. 542 dated 23.01.2014 issued by order of Managing Director, Bihar Industrial Area Development Authority (hereinafter referred to as "BIADA"), Patna issued under the signature of Executive Director, BIADA.

(C) To any other relief/s to which petitioner is found entitled to.”

Learned counsel for the petitioner states that the petitioner be permitted to withdraw the present petition with liberty to pursue the statutory appeal, which stands preferred, and if as an outcome of the decision of the said appeal, the allotment is not restored, petitioner be permitted to file a fresh petition on the same and subsequent cause of action.



Liberty as prayed for is granted.

The instant petition stands disposed of as withdrawn.

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

(Sanjay Karol, CJ)

(Partha Sarthy, J)

avinash/PKP

U			
---	--	--	--

