

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16914 of 2022

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Sushil Kumar Junjhunwala @ Sushil Kumar Son of Sri Jagdish Prasad Jhunhunwala, Proprietor Savitri Chemicals, Industrial Area, Dharampur, P.S. and District- Darbhanga.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Old Secretariat, Patna.
2. The Principal Secretary, Department of Industries, Government of Bihar, Patna.
3. The Managing Director, Bihar Industrial Area Development Authority, Patna.
4. The Executive Director (Administration), Bihar Industrial Area Development Authority, Regional Office, Darbhanga.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Ravindra Kumar Shukla, Advocate
For the Respondent/s : Mr.Yogendra Prasad Sinha (AAG 9)

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE PARTHA SARTHY

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 : 09-12-2022

Petitioner has prayed for the following relief(s):-

“i) For issuance of a writ in
the nature of mandamus
directing/commanding the concerned



respondents by issuing FIAT to renew the lease deed dated 14.12.1987 executed by Darbhanga Industrial Area Development Authority (as then existed) for remaining period of 66 years, requisite amount of which is already lying with the Darbhanga Industrial Area Development Authority (as then existed) now Bihar Industrial Area Development Authority (here in after called as BIADA for brevity).

ii) This Hon'ble Court is further prayed to adjudicate and hold that the petitioner is duly entitle for renewal of the lease deed dated 14.12.1987 executed by the competent authority of Darbhanga Industrial Area Development Authority (as then existed) for which all paraphernalia and requisite conditions have already been fulfilled by the writ petitioner.

iii) For issuing appropriate writ in the nature of 'mandamus' directing/commanding the concerned respondents to comply with the requirement of law as much as the existing conditions incorporated in Clause 1 of Part II of the lease deed which has come into existence pursuant to letter no.9615/73 dated 18.09.1973 after depositing requisite amount of Rs.20,447.10 as demanded by the office



of Darbhanga Industrial Area Development Authority (as then was) in order to lease out the land appertaining to Khata no. 345, Plot no.278 and 279 for a period of 99 years.

iv) Any other appropriate writ/writs be issued, direction/ directions be given, order/orders be passed, for which the petitioner may be found entitled in the given facts and circumstances of this case.”

Learned counsel for the petitioner, under instruction, states that petitioner shall be content if respondent No. 3, namely The Managing Director, Bihar Industrial Area Development Authority, Patna is directed to decide the petitioner’s request for extension of the lease.

Learned counsel for the respondents states that respondent No. 3, namely The Managing Director, Bihar Industrial Area Development Authority, Patna shall positively decide the application within four weeks from today. However, petitioner be permitted to complete all formalities.

Statement accepted and taken on record.

We direct the petitioner to make himself available in the office of respondent No. 3 on 19.12.2022 at 11:00 a.m. when a date shall be fixed enabling the petitioner to complete all



formalities. Order assigning reasons shall be passed and a copy thereof supplied to the petitioner.

Liberty reserved to the petitioner to agitate the issue before appropriate forum, should the occasion so arise.

Petition is disposed of in the aforesaid terms.

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

(Sanjay Karol, CJ)

(Partha Sarthy, J)

K.C.Jha/-

AFR/NAFR	
CAV DATE	
Uploading Date	14.12.2022
Transmission Date	

