

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.22890 of 2019

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M/s Jawahar Mini Modern Rice Mills Industrial Area, Donar, Darbhanga, through its Proprietor Jawahar Lal Yadav, aged about 67 years, Male, Son of Late Gulab Yadav, resident of Village and Post- Kabaria, P.S.- Sadar, District- Darbhanga.

... .. Petitioner/s

Versus

1. The Bihar Industrial Area Development Authority through its Executive Director, Patna.
2. The Executive Director Bihar Industrial Development Authority, Regional Office, Darbhanga.
3. The Darbhanga Industrial Area Development Authority Bela, Darbhanga through its Managing Director.
4. The Managing Director Bihar Industrial Area Development Authority, Udyog Bhawan, Patna, Bihar.
5. The In-Charge Officer Darbhanga Industrial Area Development Authority, Bihar, Darbhanga.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Saroj Kumar, Advocate
For the Respondent/s	:	Mr.Lalit Kishore, AG
		Mr. Piyush Lall, Advocate

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 24-08-2022

Petitioner has prayed for the following relief(s):

“For issuance of a writ in the nature of mandamus and/or any other appropriate writ, order or direction to the respondents to extend further 6 months time to start the business and continue the Industrial Operation in the facts and circumstances of the case and further be restrain



the respondents to take any coercive step against the petitioner.”

Learned counsel for the BIADA states that the undertaking of the petitioner is in order.

Statement accepted and taken on record.

Learned counsel for the petitioner states that petitioner is ready and willing to- (a) make the Unit fully operational and functional in terms of the product sanctioned and allowed to be manufactured as per the original terms of allotment; (b) clear all the dues payable to BIADA as on date; (c) make itself compliant with all the statutory requirements, including the ones protecting interest of the employees.

Statement accepted and taken on record as an undertaking.

Learned counsel for BIADA states that petition can be disposed of in terms of the undertaking so furnished.

Consequence of breach thereof, including initiation of proceedings for contempt having violated the undertaking furnished before this Court stands explained to the petitioner through the learned counsel.

As such, petition is disposed of in the following terms:-

(a). Statement made by the petitioner is accepted and taken on record as an undertaking;

(b) Petitioner has been made aware of the consequences of breach thereof, including initiation of proceedings for contempt;

(c) In the event of default of the undertaking, petitioner shall



hand over vacant and peaceful possession of the allotted property to
BIADA;

(d) Liberty reserved to BIADA, to approach this Court, should
the petitioner fail to abide by the undertaking furnished before this Court.

Petition stands disposed of in the aforesaid terms.

Interlocutory Application(s), if any, stands disposed of.

(Sanjay Karol, CJ)

(Satyavrat Verma, J)

K.C.Jha/DKS

AFR/NAFR	
CAV DATE	
Uploading Date	26.08.2022
Transmission Date	

