

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.230 of 2020**

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M/s Pride Pet through its Proprietor Sri Sujeet Kumar (male), aged about 50 years, Son of Gajendra Kumar, Establishment/Factory at Shed No. D2, Bela Phase-I, Muzaffarpur, resident of East of Bairiya Bus Stand, near Nathuni Bhagat High School, Kolhua, Paigumbarpur, M.I.T., P.S.- Muzaffarpur, District -Muzaffarpur, PIN- 842003.

... .. Petitioner/s

Versus

1. The State of Bihar through the Director of Industries, Bihar, Bailey Road, Patna.
2. The Deputy Director, Technical Division, Department of Industries, Bihar, Patna.
3. Managing Director, Bihar Industrial Area Development Authority (BIADA), Udyag Bhawan, East Gandhi Maidan, Patna.
4. The Executive Director, Bihar Industrial Area Development Authority, Regional Office, Muzaffarpur.

... .. Respondent/s

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**Appearance :**

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| For the Petitioner/s | : | Mr.Ajit Kumar Sinha, Adv   |
| For the Respondent/s | : | Mr.Subhash Pd. Singh (GA3) |

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**CORAM: HONOURABLE THE CHIEF JUSTICE**  
**and**  
**HONOURABLE MR. JUSTICE S. KUMAR**  
**ORAL JUDGMENT**  
**(Per: HONOURABLE THE CHIEF JUSTICE)**

**Date : 30-08-2022**

Heard learned counsel for the parties.

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

“(i) For issuance of a direction to the respondent no. 1, the Director of Industries, Bihar, Patna, to dispose of the representation dated 02.12.2019 filed by the petitioner by hand/through registered post.

(ii) For a direction to the respondent authority, particularly respondent no. 1 and 2 to grant of subsidy under the Industrial Policy, 2011 at par with several other entrepreneurs who have been sanctioned and granted subsidy.”

It is brought to our notice that the decision rendered by a co-ordinate Bench of this Court in CWJC No.12104 of 2018, titled as M/s Sunny Stars Hotels Private Limited, 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 petitioner, states that certain amount in terms of the Bihar Industrial Incentive Policy, 2011 already stands paid to the petitioner. As such, petitioner shall be content if the petition is disposed of with liberty granted to the petitioner 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 opportunity of hearing afforded to the parties.

If aggrieved by the said order, the petitioner shall have liberty to approach this Court by way of separate petition(s), if so required and desired.

Equally, liberty is reserved to the petitioner to take recourse to such alternative remedies as are otherwise available in accordance with law.

We are hopeful that as and when petitioner takes 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 also stand disposed of.

**(Sanjay Karol, CJ)**

**(S. Kumar, J)**

ranjan/-

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