

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Appeal No.163 of 2023

M/s Shiv Shanti Enterprises 201, 2nd Floor, Capital Tower, Block - A, Frazer Road, Patna through its Proprietor Vikash Kumar Goenka, Aged about 41 years, Male, Son of Sri Vijay Kumar Goenka, Resident of 402, Shree Apartment, S.P. Verma Road, P.S. Gandhi Maidan, Town and District Patna.

... .. Appellant/s

Versus

1. The Bihar Industrial Area Development Authority having its office at 1st Floor, Udyog Bhawan, East Gandhi Maidan, P.S. Gandhi Maidan, District Patna - 800004 through its Managing Director.
2. The Managing Director, Bihar Industrial Area Development Authority, 1st Floor, Udyog Bhawan, East Gandhi Maidan, P.S. Gandhi Maidan, District Patna - 800004.
3. The Executive Director, Bihar Industrial Area Development Authority, 1st Floor, Udyog Bhawan, East Gandhi Maidan, P.S. Gandhi Maidan, District Patna - 800004.
4. The Secretary, Bihar Industrial Area Development Authority, 1st Floor, Udyog Bhawan, East Gandhi Maidan, P.S. Gandhi Maidan, District Patna - 800004.
5. The Chief Administrative Officer, Bihar Industrial Area Development Authority, 1st Floor, Udyog Bhawan, East Gandhi Maidan, P.S. Gandhi Maidan, District Patna - 800004.

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr.Priya Gupta Mr.Mohit Agarwal
For the Respondent/s	:	Mr.Piyush Lall
For the BIADA	:	Mr.Parth Gaurav

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 27-03-2023 Mr. Mohit Agarwal, Ld. Counsel for the appellant is present.

Ld. counsel for the appellant submits that on account of pecuniary jurisdiction, this appeal should have been filed before the District Judge but inadvertently the same has been filed in this Court.



Hence, he seeks permission to withdraw the present appeal with liberty to file an appropriate appeal before the District Judge of competent jurisdiction.

Permission is granted.

This appeal is dismissed as withdrawn with the aforesaid liberty.

It is clarified that the time consumed before this Court should be excluded while considering the issue of limitation in regard to filing appeal.

(Jitendra Kumar, J)

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