

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10152 of 2021

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Sankalp Industries Pvt. Ltd. through its Managing Director Pravin Kumar, S/o
Upendra Sharam, aged about 45 (Sex-Male), having registered Office Plot
NO.-836, N.H.-98/139, Near Kanpur Bridge, P.S.-Rani Talab, District-Patna.

... .. Petitioner/s

Versus

1. The Union of India through Secretary Bureau of Indian Standards, 9
Bahadur Sah Jafar Marg, New Delhi-110202.
2. The Director General (D.G.) 9 Bahadur, Sah Zafar Marg New Delhi-110002,
India.
3. The Addl Director General (A.D.G.) 9 Bahadur, Sah Zafar Marg New Delhi-
110002, India.
4. The Administrative Officer, 1/14 CTT, Scheme VII, V.I.P. Road, Kankura
Gachi, Kolkata-700054.
5. The Bureau of Indian Standards through its Deputy Director General,
Eastern Region, Patliputra Industrial Estate, Patna..

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Uday Prasad Singh, Advocate

For the Union of India : Mr. Manoj Kumar Singh, Advocate

For the Bureau of Indian Standards: Mr. Y.V.Giri, Sr. Advocate
Mr. Awadhesh Kumar, Advocate

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL JUDGMENT
(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 19-01-2023

As prayed for by Mr. Y.V.Giri, learned Senior
Counsel, Respondent No. 5, namely, Bureau of Indian Standard
through its Regional Director, Patna Branch, Patliputra



Industrial Estate, Patna stands corrected and read as “ Bureau of Indian Standards through its Deputy Director General, Eastern Region, Patliputra Industrial Estate, Patna.”

Registry to make necessary correction in the memo of parties, both in the digital as also physical file.

Petitioner has prayed for the following relief(s):

“(i) The respondent be command to issue renewal certificate for Bureau of Indian Standards.

(ii) The respondents be commands to allow the petitioner to work in question which has been issued earlier.

(iii) The petitioner be examined any other relief/reliefs for which found entitled.”

In view of the stand taken by the respondents and more so, in view of the Bureau of Indian Standards (Conformity Assessment) Regulations, 2018; Clause 8(4) which is extracted hereunder:-

“Renewal of license to use or apply a Standard Mark- (1) An application for renewal of licence shall be made to the Bureau in the stipulated form along with the fee, as specified in the applicable Scheme in Schedule-II.

(2) The application under sub-regulation (1) shall be made to the Bureau before the expiry of the validity of licence as specified in the applicable Scheme given in Schedule-II.

(3) On receipt of an application under sub-



regulation (1), the Bureau may renew or recertify the licence in accordance with the applicable Scheme specified in Schedule-II.

(4) If renewal application with requisite fee is not received before the expiration of the validity, the renewal of licence may be deferred for a period of up to ninety days from the date of its validity;

Provided that if renewal application with requisite fee is not received within the period of deferment, the licence shall stand expired after the date of its validity.”,

learned counsel for the petitioner seeks liberty to apply for fresh license in terms of the Bureau of Indian Standards Act, 2016 and the rules/regulations framed thereunder.

Liberty, as prayed for, is granted.

In any event, the petitioner has a right to do so under the rules/regulations.

Needless to add, as and when any such application is preferred before the competent authority, which is, according to Mr. Y.V.Giri, learned Senior Counsel appearing on behalf of the Respondent No. 5, Bureau of Indian Standards through its Deputy Director General, Eastern Region, Patliputra Industrial Estate, Patna, the same shall be processed and decided expeditiously in accordance with law.

Petition stands disposed of in the aforesaid terms.



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

(Sanjay Karol, CJ)

(Partha Sarthy, J)

Saurabh/Sujit

AFR/NAFR	
CAV DATE	
Uploading Date	21.01.2023
Transmission Date	

