

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7695 of 2023

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M/s Universal Refineries Limited @ M/s Universal Refineries a company registered under the Companies Act, 2013 having its office at 42, Barauni Industrial Area, Town and P.S. Barauni, Begusarai through its authorised signatory Inder Jit Singh Ahluwalia, aged about 81 years, Male, s/o Late Sardar Singh, resident of Dil Mohan Kaur Bagh, Ward No. 8, P.S. Barauni, PS District Begusarai.

... .. Petitioner/s

Versus

1. The Bihar Industrial Area Development Authority (BIADA) Udyog Bhawan, Gandhi Maidan, Patna through its Chairman cum Managing Director.
2. The Chairman cum Managing Director, Bihar Industrial Area Development Authority (BIADA) (cum Additional Chief Secretary), Department of Industries State of Bihar, Udyog Bhawan, Gandhi Maidan, Patna.
3. The Joint Managing Director, Bihar Industrial Area Development Authority (BIADA), Udyog Bhawan, Gandhi Maidan, Patna.
4. The Executive Director, Bihar Industrial Area Development Authority (BIADA), Udyog Bhawan, Gandhi Maidan, Patna.
5. The DGM, Industrial Area, Begusarai Cluster, Bihar Industrial Area Development Authority (BIADA), Begusarai.
6. M/s Baidyanath Real Food Pvt. Ltd. Chopra More, P.S.-Mohanpur, Deoghar, Jharkhand.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Brisketu Sharan Pandey, Adv.
For the BIADA	:	Mr. Avinash Kr, Adv.
For Third Party	:	Mr. Sachin Kumar, Adv.

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CORAM: HONOURABLE MR. JUSTICE A. ABHISHEK REDDY
ORAL ORDER

9 02-12-2023 Learned counsel appearing on behalf of the petitioner has stated that the petitioner may be permitted to withdraw the present writ petition with a liberty to approach the competent Civil Court for claiming damages and also compensation from the BIADA authorities. Learned counsel has stated that valuation report relied by the respondent-authorities is not a



correct valuation and the machinery of the petitioner which was lying in the subject premises is worth more than 15 crores but the same has being valued at only 49,28,000/-. Learned counsel has further stated that the authorities concerned may be directed to pay the amount of Rs.49,28,000/- collected by the BIADA from the subsequent allottee and the liberty may be granted to the petitioner to approach the competent Civil Court for claiming damages and compensation.

2. Having regard to the above made submission, the petitioner is permitted to withdraw the present writ petition with a liberty to approach the competent Civil Court for claiming any damages/compensation against the BIADA authorities or any other person. The BIADA authorities are directed to pay the petitioner for the amount of Rs.49,28,000/- which was already collected from the Respondent No. 6 from the machinery, infrastructure etc. by the BIADA authorities within a period of six weeks from the date of receipt of a copy of this order. This Court has not gone into the merits of the case and in case any Civil Suit is filed by the petitioner the same shall be dealt with on its own merits on the strength of the adduced evidence (both oral and documentary) in accordance with law.

3. Accordingly, the present writ petition stands



disposed of with the above liberty.

(A. Abhishek Reddy , J)

Bhardwaj/-

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