

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17249 of 2022

M/s Bansal Industries through its Properitor-Vipin Prasad Singh Male, aged about 53 Years, S/O-Late Ganesh Prasad Singh Resident of Village and P.O.-Khanjahanpur, P.S.-Cheria Bariyarpur, District-Begusarai.

... .. Petitioner/s

Versus

1. The Principal Secretary, Industries Department, Govt. of Bihar, Patna.
2. The Managing Director, Bihar Industrial Area Development Authority, First Floor, East Gandhi Maidan, Patna 800004.
3. The Executive Director, Bihar Industrial Area Development Authority, First Floor, East Gandhi Maidan, Patna 800004.
4. The Senior Accounts Officer, Bihar Industrial Area Development Authority, First Floor, East Gandhi Maidan, Patna 800004.
5. The Development Officer, Bihar Industrial Area Development Authority, First Floor, East Gandhi Maidan, Patna 800004.
6. The Executive Director, Bihar Industrial Area Development Authority, Regional Office, Muzaffarpur.
7. The Development Officer, Bihar Industrial Area Development Authority, Regional Office, Muzaffarpur.
8. The Deputy General Manager Bihar Industrial Area Development Authority, Begusarai Cluster, District-Begusarai.
9. The Area Incharge, Bihar Industrial Area Development Authority, barauni, District-Begusarai.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Amarendra Kumar, Advocate
For the Respondent/s	:	Mr. Abbas Haider, SC-6
		Mr. Piyush Lall, Advocate
		Mr. Devesh Shankaran, Advocate
		Mr. Ravish Chandra, A.C. to S.C. 6

CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

3 24-01-2023 Petitioner has prayed for the following relief(s):-



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1. That this writ petition is being filed before this Hon'ble court in the nature of certiorari for quashing the office order dt. 25.10.2022 passed by the Learned Principal Secretary, Department of Industries in Appeal No. 99/2022 by which the appeal filed by the petitioner was dismissed and further quashing the office order passed by Deputy General Manager, Bihar Industrial Area Development Authority (BIADA), Muzaffarpur Cluster vide memo No. 1150 dt. 11.07.2022 by which the allotment made to M/S Bansal Industries, Industrial Area, Barauni in area of 23522 sq. ft. bearing Plot no.39(F) has been cancelled by applying section 6(2) (a), 6(2) (b) of BIADA Amendment Act, 1991 and BIADA Act, 1974 and BIADA Amendment, Act 2017.

The writ application is also being filed to restore the status of the unit in question, inter alia, unit in fully commercial production as well as with all consequential benefits for which the petitioner is entitled for.

And this application is also being filed for holding that the impugned order dt. 25.10.2022 and office order dt. 11.07.2022 as contained in Annexure -1 and 1/A is illegal, arbitrary and without any lawful justification.

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Learned counsel for the petitioner submits that pursuant to a scheme of the respondent BIADA dated 15.12.2022, which allows change in the management as also change of unit, learned counsel for the petitioner seeks



permission to withdraw this application with liberty to make an appropriate application before the respondent BIADA for the same.

This application is permitted to be withdrawn with the aforesaid liberty.

It goes without saying that in case the application filed by the petitioner in terms of the aforesaid scheme is not allowed, the petitioner will have liberty to file a fresh application for the relief prayed for in the instant application or any cause of action arising hereafter.

The instant application stands disposed of as withdrawn with the aforesaid liberty/observation.

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

(Sanjay Karol, CJ)

(Partha Sarthy, J)

P.K.P./Amrendra

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