

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.225 of 2023

In
Civil Writ Jurisdiction Case No.4536 of 2020

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1. Bihar Industrial Area Development Authority through its Managing Director, Udyog Bhawan, Gandhi Maidan, Patna.
 2. The Managing Director, BIADA, Udyog Bhawan, Gandhi Maidan, Patna.
 3. The Executive Director, BIADA, Regional Office, Bhagalpur.
 4. The Development Officer, Regional Office, Bhagalpur.
 5. Area In Charge, Industrial Area, Purnea City, Purnea.

... .. Petitioners.

Versus

1. M/S Sree Masala Udyog Industrial Area, Purnea through its Proprietor Kundan Kumar Gupta, Son of Sri Kalika Nand Gupta, C/o Amar Deep Dresses, 131/KH, Bhatta Bazar, P.S. Purnea,.
2. The State of Bihar, through the Principal Secretary, Department of Industry, Vikash Bhawan, Bailey Road, Bihar, Patna.

... .. Opposite Parties.

Appearance :

For the Petitioners-BIADA:	Mr. Avinash Kumar Singh, Advocate.
For the State :	Mr. Subhash Prasad Singh (GA-3).
For the O.P. No.1 :	Mr. Kuldeep Thakur, Advocate.

CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
and
HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE P. B. BAJANTHRI)

6 15-03-2024 Opposite party no.1 has filed show cause along with the documents (Annexures-R1/1 to R1/4). In paragraph-10 of the show cause, it is stated as under:

“That it is most respectfully submitted that after the issuance of the show cause notice vide Letter No.219 dated 16.12.2022 petitioner has cooperated and created no resistance and hindrance



with regard to the handing over the peaceful possession as per the order of the Hon'ble High Court. The contention raised by the petitioner BIADA is not contemptuous as the same could be perused from the facts that the physical possession of the land has been taken by Respondent BIADA, and all assets have been taken over by it.

Furthermore, petitioner BIADA has already put the plot of the answering respondent in the vacant list/report which has been displayed on the official website of the petitioner BIADA for the purpose of fresh allotment to the entrepreneurs from which it clearly manifest that petitioner BIADA has already taken the physical possession of the plot.

It is next submitted that petitioner BIADA has ruined the precious time of this Hon'ble Court by filing this present application and the same may is fit to be dismissed *in limine* and therefore relief and prayer sought by the petitioner are fit to be rejected by this Hon'ble Court for the ends of justice.”

2. In the light of the aforementioned developments,



the present M.J.C./Contempt Petition stands dropped.

(P. B. Bajanthri, J)

(Alok Kumar Pandey, J)

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