

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3463 of 2024

Ashish Ranjan Son of Rajendra Prasad Singh, Resident of Village- Koilwan,
Police Station- Haspura, District- Aurangabad proprietor of Om Aluminium/
Progressive Industrial Training Centre, Police Station- Muffasil, District-
Aurangabad ... Petitioner

Versus

1. The State of Bihar through the Principal Secretary Department of Industries,
Bihar, Patna.
2. The Bihar Industrial Area Development Authority, through its Managing
Director 1st Floor Udyog Bhawan, Estate Gandhi Maidan, Patna.
3. The Managing Director, Bihar Industrial Area Development Authority, 1st
Floor Udyog Bhawan, Estate Gandhi Maidan, Patna.
4. The Joint Managing Director, Bihar Industrial Area Development Authority,
1st Floor Udyog Bhawan, Estate Gandhi Maidan, Patna.
5. The Executive Director, Gaya Kalstar, 1st Floor Udyog Bhawan, Estate
Gandhi Maidan, Patna.
6. The Head Accounts Officer, Gaya Kalstar, 1st Floor Udyog Bhawan, Estate
Gandhi Maidan, Patna.
7. The Deputy General Manager, Bihar Industrial Area Development Authority,
Gaya Kalstar, 1st Floor Udyog Bhawan, Estate Gandhi Maidan, Patna.
8. The Development Officer, Bihar Industrial Area Development Authority, 1st
Floor Udyog Bhawan, Estate Gandhi Maidan, Patna.
9. The Additional Chief Secretary, Industries Department, Government of
Bihar, Patna. ... Respondents

Appearance :

For the Petitioner : Mr.Arvind Prasad Singh, Adv.
For the Respondents : Mr.Government Pleader (27)

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

3 22-04-2024 This Court vide judgment, dated 16.10.2023, passed
in C.W.J.C. No. 8487 of 2023 has remanded the matter back to
the BIADA Appellate Authority for considering the appeal filed
by the petitioner afresh. However, it is stated by the counsel for
the respondent-BIADA that though the matter was listed on
19.12.2023, 03.01.2024 and finally on 09.02.2024, the petitioner



herein did not choose to appear. Therefore, the Appellate Authority on 09.02.2024 has closed the appeal without advertng to the merits of the case on the ground of the pendency of the present CWJC before this Court.

3. Learned counsel appearing on behalf of the petitioner has stated that though there was specific direction to the authority concerned for passing orders afresh within a period of six weeks from the date of receipt of the copy of the judgment, dated 16.10.2023, passed in C.W.J.C. No. 8487 of 2023, however, the authority did not pass any orders within the time stipulated by this Court.

4. Learned counsel appearing for the respondent-BIADA has stated that the petitioner herein has given a representation along with a copy of the judgment, dated 16.10.2023, passed in C.W.J.C. No. 8487 of 2023 to the BIADA, only on 14.12.2023 and immediately thereafter the hearing dates were fixed but the petitioner did not choose to appear before the Appellate Authority.

5. Without going into the merits or demerits of the case, having regard to the fact that the appeal was already remanded by this Court and the Appellate Authority was seized of the matter, the present Writ Petition is disposed of directing



the Appellate Authority to take-up the main appeal and pass a reasoned order. The petitioner shall be given an opportunity of hearing. The entire exercise shall be completed as expeditiously as possible, preferably within a period of four weeks from today. The order, dated 09.02.2024, is accordingly set aside.

6. With the above direction, the Writ Petition stands disposed of.

(A. Abhishek Reddy , J)

Shamshad/-

U			
---	--	--	--

