

Civil Writ Jurisdiction Case No.3127 of 2024

M/S Deepak Paints Pvt. Ltd. Industrial Area, Patliputra, through its Managing Director Balraj Kapoor, aged about 77 years, Gender-Male, son of Late Pran Nath Kapoor, R/o 65 A.N. Path, P.S. Patliputra, District-Patna.

... .. Petitioner/s

Versus

1. State of Bihar through the Additional Chief Secretary, Department of Industries, Government of Bihar.
2. The Bihar Industrial Area Development Authority (BIADA), Udyog Bhawan, Gandhi Maidan, Patna through its Managing Director.
3. The Managing Director, Bihar Industrial Area Development Authority (BIADA), Udyog Bhawan, Gandhi Maidan, Patna.
4. The Joint Managing Director, Bihar Industrial Area Development Authority (BIADA), Udyog Bhawan, Gandhi Maidan, Patna.
5. The Deputy General Manager, Bihar Industrial Area Development Authority (BIADA), BIADA Patna Cluster, Patliputra.
6. The Assistant Area Manager, Industrial Area, Patliputra.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Mrigank Mauli, Sr. Advocate
	:	Mr. Ashutosh Kr. Singh, Advocate
For the Respondent/s	:	Mr.Arvind Ujjwal (SC 4)
For BIADA	:	Mr. Ajit Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 19-02-2024 1. Heard learned counsel for the parties concerned.

 2. The present writ application has been filed for quashing the letter dated 12.02.2024, issued by respondent no. 6 i.e. Assistant Area Manager, Patliputra Industrial Area, Patna, Bihar, by which the petitioner Unit has been directed to ensure physical possession of the land, appertaining to Plot no. 16(P) and 17(P) within a period of 07 days, failing which, the possession shall be taken forcibly with the help of



administration.

3. The brief facts of the case are that a piece of land appertaining to Plot no. 16(P) and 17(P), having an area of 18500 sq.ft. was allotted to the petitioner in the year 1971 by the Patna Industrial Area Development Authority (now BIADA) for a lease of 99 years for establishing industry for production of paints, varnish and allied products. The allotment was cancelled by the BIADA on 03.01.2024 and being aggrieved by the same, the petitioner has preferred appeal before Industries Development Commissioner (in short I.D.C.). During the pendency of the appeal, impugned letter has been issued by the BIADA for resumption of possession.

4. Having heard learned counsel for the parties and taking into consideration the BIADA Land Allotment Policy, 2022, the impugned order dated 12.02.2024 shall be kept in abeyance till the disposal of the appeal

5. The present writ application stands disposed off on the aforesaid terms.

(Anil Kumar Sinha, J)

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