

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5752 of 2024

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M/s Mahaveer Body Builder Corporation through Arvind Kumar aged about 60 Years, Male, Son of late Jageshwar Ram, resident of Station Road, Rajbhog Gali, Mohan Bigha, Dehri on Sone, Police Station- Dehri, District- Rohtas, Bihar-821311 ... Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Industry, Government of Bihar, Patna.
 2. The Additional Chief Secretary, Department of Industries, Government of Bihar, Patna.
 3. The Managing Director, Bihar Industrial Area, Development Authority, Udyog Bhawan, Gandhi Maidan, Patna, Bihar.
 4. The Executive Director, Udyog Bhawan, Gandhi Maidan, Patna.
 5. The Deputy General Manager, Gaya Cluster Gaya, B.I.A.D.A.
 6. The Deputy Manager, Bihar Industrial Area, Development Authority, Industrial Premises, Dehri on Sone, Rohtas. ... Respondents
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Appearance :

For the Petitioner	:	Mr.Punit Siddharth, ADv.
For the State	:	Mr.D.K. Verma, AC to SC XI
For the BIADA	:	Mr.Gyan Shankar, Adv.

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

7 03-09-2024

Heard the parties.

2. This Court vide order, dated 15.01.2024, passed in C.W.J.C. No. 13328 of 2023 has remanded the matter back to the Appellate Authority and directed the Appellate Authority to pass the order afresh duly taking into consideration the inspection report, dated 05.07.2023. The Appellate Authority vide order, dated 23.02.2024, has passed the order, however, a perusal of the appellate order does not reveal that the inspection report, dated 05.07.2023, has been discussed by the said authority while dismissing the appeal filed by the petitioner. Irrespective of the fact as to whether the said report is in



favour of the petitioner or not the fact remains that this Court vide order, dated 15.01.2024, had directed the authority to consider the said report while the passing the order afresh but the same has not been considered. On this ground alone the impugned order passed by the authority is liable to be set aside and the same is accordingly set aside. The matter is remanded back to the appellate authority for passing the orders afresh duly taking into consideration the inspection report, dated 05.07.2023, as directed by this Court vide order, dated 15.01.2024, in C.W.J.C. No. 13328 of 2023.

3. It is needless to mention that before passing any orders, the authority shall put the petitioner on notice and give an opportunity of hearing. The authority shall pass orders duly taking into consideration the inspection report, dated 05.07.2023, and giving reasons. The entire exercise to be completed as expeditiously as possible preferably within a period of eight weeks from the date of receipt of a copy of this order. Any order passed shall be communicated to the petitioner.

4. It is made clear that this Court has not made any observation with regard to the merits of the case.

5. With the above directions, the present Writ Petition stands disposed of.

(A. Abhishek Reddy , J)

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