

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.811 of 2021

M/s Debashree Construction (India) Pvt. Ltd., a company incorporated under the Indian Companies Act, 1956 having its office at New Area, Maharajganj Road, Aurangabad, Bihar through its Managing Director Sri Kaushal Kumar Singh, aged about 65 years (Male), Son of Late Ambika Prasad Singh, Resident of New Area, Maharajganj Road, P.S.- Town Thana Aurangabad, District- Aurangabad, Bihar.

... .. Petitioner/s

Versus

1. The Bihar Industrial Area Development Authority, 1st Floor, Udyog Bhawan, East Gandhi Maidan, Patna through its Managing Director.
2. The Managing Director, Bihar Industrial Area Development Authority, 1st Floor, Udyog Bhawan, East Gandhi Maidan, Patna
3. The Executive Director, Bihar Industrial Area Development Authority, 1st Floor, Udyog Bhawan, East Gandhi Maidan, Patna
4. The Senior Accounts Officer, Bihar Industrial Area Development Authority, 1st Floor, Udyog Bhawan, East Gandhi Maidan, Patna
5. The Regional In-charge, Bihar Industrial Area Development Authority, Branch Office, Aurangabad.
6. The State of Bihar through the District Magistrate-cum-Collector, Aurangabad District Aurangabad.
7. The Union of India through the National Highways Authority of India through the Director General and Special Secretary, Ministry of Road Transport and Highways, Transport Bhawan, 1-Parliament Street, New Delhi- 110001.
8. The Regional Officer, Ministry of Road Transport and Highways, Government of India, having its Regional Office, at 17, IAS Colony, Kidwaipuri, Patna (Bihar).

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Raj Kishore Prasad, Advocate
For the Respondent/s : Mr.Subhash Pd. Singh, GA-3

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

7 19-12-2024 1. The present writ petition has been filed seeking the following relief(s):-

“1(i) To issue an appropriate writ(s), order(s), direction(s) in the nature of writ of Mandamus holding that the structure of the industrial unit



of the petitioner, demolished by the order of the Official Respondents, without notice or any show- cause to the petitioner is wholly illegal, ab-initio void and bad in law.

(ii) To issue an appropriate writ(s), order(s), direction(s) in the nature of writ of Mandamus directing the respondents to calculate the cost of structure demolished by the respondents without any notice or show cause to the petitioner and pay compensation of the cost of structure as also compensation for the acquisition of land said to have been acquired by the National Highways Authority of India for widening of NH-2, at the present rate of the land.”

2. At the outset, the learned counsel for the petitioner seeks not to press the present writ petition, however, seeks liberty on behalf of the petitioner to avail such other alternative remedies as are otherwise available under the law, including that of filing a civil suit before the learned Civil Court having competent jurisdiction, for redressal of its aforesaid grievances. Liberty so sought is granted.

3. The writ petition stands disposed off.

(Mohit Kumar Shah, J)

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