

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.2409 of 2023

In

Civil Writ Jurisdiction Case No.1628 of 2018

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M/s Patliputra Papers Pvt. Ltd. having its registered office at Plot No. D- 16 and D- 17, Industrial Area, Hajipur, through its Director Sajjan Jain, Male, 51 yrs, R/o House No. A-31/121, Mata Mandir Marg, Maujpur, Gali no. 3, East Delhi. Son of Late Jodh Raj Jain, at present Resident of New Bahadurpur, Mohalla - Marwari Colony, Near Shyam Mandir, P.O. - Rajendra Nagar, New Bahadur Pur Police Station- Bahadur Pur, District - Patna, Bihar - 800016.

... .. Petitioner/s

Versus

1. The State of Bihar through Mr. Sandeep Poundrik, Additional Chief Secretary Department of Industries, Govt. of Bihar, Vikas Bhawan, Bailey Road, Patna.
2. Mr. Pankaj Dikshit, Joint Managing Director, Bihar Industrial Area Development Authority, 1st Floor, Udyog Bhawan, Gandhi Maidan, Patna.
3. Mr. Chandrashekhar Singh, Executive Director, South Bihar Industrial Area Development Authority, 1st Floor, Udyog Bhawan, Gandhi Maidan, Patna.
4. Mr. Shrinidhi Kumar, Deputy General Manager, Hajipur Cluster, Bihar Industrial Area Development Authority, 1st Floor, Udyog Bhawan, Gandhi Maidan, Patna.
5. Smt. Hemlata Kumari Singh, Assistant Area Manager, Industrial Area-Hajipur, Bihar Industrial Area Development Authority, 1st Floor, Udyog Bhawan, Gandhi Maidan, Patna.

... .. Opposite Party/s

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with

Miscellaneous Jurisdiction Case No. 45 of 2023

In

Civil Writ Jurisdiction Case No.1628 of 2018

- =====
1. The Managing Director Bihar Industrial Area Development Authority Udyog Bhawan, Patna.
 2. The Executive Director, Bihar Industrial Area Development Authority, Udyog Bhawan, Patna.
 3. The Area Manager, Industrial Areas, Hajipur.

... .. Petitioner/s

Versus

1. M/s Patliputra Papers Pvt. Ltd. Having its registered office at Plat No. D- 16



and D- 17, Industrial Area Hajipur, through its Director, Sajjan Jain, Son of Late Jodh Raj Jain, resident of Mohalla - Marwari Colony, New Bahadurpur Pur Police Station - Bahadur Pur, District - Patna, Bihar.

2. The State of Bihar through Mr. Sandeep Paundrik the Principal Secretary Department of Industries, Government of Bihar, Vikas Bhawan, Patna.
3. Mr. Sandeep Paundrik the Principal Secretary Department of Industries, Government of Bihar, Vikas Bhawan, Patna.

... .. Opposite Party/s

Appearance :

(In Miscellaneous Jurisdiction Case No. 2409 of 2023)

For the Petitioner/s : Mr. Abhishek Kumar Pandey, Adv.
For the BIADA : Ms. Vagisha Pragya Vacaknavi, Adv.
For the State : Mr. Abbas Haider, SC-6

(In Miscellaneous Jurisdiction Case No. 45 of 2023)

For the Petitioner/s : Mr. Abhishek Kumar Pandey, Adv.
For the BIADA : Ms. Vagisha Pragya Vacaknavi, Adv.
For the State : Mr. Abbas Haider, SC-6

CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
and

HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY

ORAL JUDGMENT

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

Date : 27-06-2024

Ref: MJC No. 2409 of 2023.

Heard MJC No. 2409 of 2023 for modification of order dated 25.08.2022 passed in CWJC No. 1628 of 2018.

The aforementioned petition was decided based on undertaking given by the petitioner while imposing various conditions on his own to the extent of commencement of production within a period of three months. However, question of modification of the undertaking given by the petitioner by this court is not permissible.



2. Be that as it may, this court can modify the order of this court only if there is any typographical error or clerical error. The present case is not relating to any typographical error or clerical error committed by this court in the order dated 25.08.2022. Having regard to the reliefs sought in the present MJC for modification of the order dated 25.08.2022 would be touching the petitioner's own undertaking which has been extracted. The same cannot be taken note of and modify the order of this court.

3. Accordingly, the present petition stands dismissed.

Ref:- MJC No. 45 of 2023.

4. The present MJC do not survive for consideration in view of the fact that respondent no. 1/ M/s Patliputra Papers Pvt. Limited have complied Clause (c) of order dated 25.08.2022 (page-7) insofar as handing over the subject land on 25.07.2023 to the petitioner no. 1/Managing Director, BIADA. Thereafter, third party right has already been created.

5. In view of these facts and circumstances, the



present MJC stands dropped.

(P. B. Bajanthri, J)

(Alok Kumar Pandey, J)

shahzad/-

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	01.07.2024
Transmission Date	N.A.

