

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.2739 of 2023

In

Civil Writ Jurisdiction Case No.15204 of 2022

=====

M/s G.S.R. Agro Mills Pvt. Ltd., through its director namely Ashok Kumar Singh, male, aged about 52 years, son of late Sampat Singh, resident of village Tendua Harkesh, P.S.- Obra, District- Aurangabad.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Industries, Government of Bihar, Patna.
2. Principal Secretary, Department of Industries, Bihar Industrial Area Development Authority, Udyog Bhawan, Gandhi Maidan, Patna, District- Patna.
3. Chairman-cum-Managing Director, Bihar Industrial Area Development Authority, Bihar at Patna.
4. Joint Managing Director, Department of Industries, Bihar Industrial Area Development Authority at Patna.
5. Deputy General Manager, Department of Industries, Bihar Industrial Area Development Authority at Patna.
6. Deputy General Manager, Bihar Industrial Area Development Authority, Gaya, District- Gaya.
7. Executive Director, Department of Industries, Bihar Industrial Area Development Authority, Aurangabad, District- Aurangabad.
8. Regional In-charge, Industrial Development, Centre, Aurangabad, District- Aurangabad.

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Sumeet Kr. Singh, Adv.
: Mrs. Alka Singh, Adv.
For the Opposite Party/s : Mr. Yogendra Prasad Sinha (Aag 7)

=====

CORAM: HONOURABLE MR. JUSTICE A. ABHISHEK REDDY

ORAL ORDER

5 20-03-2024 A perusal of the order dated 15.12.2022 passed by a Division Bench of this Hon'ble Court reveals that the petitioner has given an undertaking that he will file an affidavit of undertaking stating that the petitioner will start the commercial production within sixty/ninety days from the date of handing over the possession of the subject premises by BIADA, make the unit fully operational and functional with the minimum



capacity of 80% within a period of six/nine months. However, the same was not filed within the period stipulated. Thereafter the CJWC was dismissed on 04.09.2023 for non-compliance of the order dated 15.12.2022.

2. The present MJC is filed by the petitioner seeking restoration of the CWJC. Learned counsel for the petitioner has stated that the petitioner has subsequently filed an affidavit of undertaking in terms of the order dated 15.12.2022 and the CWJC may be allowed.

3. Having regard to the reasons and grounds stated in the present MJC application, the same is allowed. Writ petition No. 15204 of 2022 is restored to file. An order dated 15.12.2022 is passed by a Division Bench of this Court it is but appropriate that the matter be heard by a Division Bench as the petitioner is seeking extension of the time stipulated in the order dated 15.12.2022 directing the petitioner to file an undertaking within seven days. Therefore, Registry is directed to place the matter before the Hon'ble Chief Justice for obtaining necessary orders for posting the CWJC before an appropriate Division Bench.

(A. Abhishek Reddy, J)

Ayush/-

U			
---	--	--	--

