

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.282 of 2024
In
Civil Writ Jurisdiction Case No.9538 of 2023

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1. Bihar Industrial Area Development Authority (BIADA) Udyog Bhawan, Gandhi Maidan, through its Managing Director.
 2. The Managing Director, Bihar Industrial Area Development Authority (BIADA), Udyog Bhawan, Gandhi Maidan, Patna.
 3. The Joint Managing Director, Bihar Industrial Area Development Authority (BIADA), Udyog Bhawan, Gandhi Maidan, Patna.
 4. The Executive Director, North Bihar Industrial Area Development Authority (BIADA), Udyog Bhawan, Gandhi Maidan, Patna.
 5. The Deputy General Manager, Motipur Cluster, Bihar Industrial Area Development Authority (BIADA), Udyog Bhawan, Gandhi Maidan, Patna.
 6. The Area-Incharge, Bihar Industrial Area Development Authority (BIADA), Industrial Area, Raxaul.

... .. Appellant/s

Versus

1. Sarvshree Durga Sattu Udyog through its proprietor Janardhan Sah, Gender Male, aged about 56 years, S/o Late Bishun Sah, R/o Village Bhaura Sikta, P.S. Balthar, District - Raxual, Bihar - 845304.
2. The State of Bihar through the Additional Chief Secretary, Department of Industries, Government of Bihar, Vikash Bhawan, Bailey Road, Patna.
3. The Additional Chief Secretary, Department of Industries, Government of Bihar, Vikash Bhawan, Bailey Road, Patna.
4. The District Magistrate, East Champaran, Office of the Collector and District Magistrate, At and P.O. Motihari, District- East Champaran, Pin- 845401.

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Ravi Kumar, Adv
For Res. No. 1	:	Mr. Abhishek Kumar Pandey, Adv
For the State	:	Mr. Yogendra Pd. Sinha, AAG-7

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ALOK KUMAR SINHA

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

6 14-10-2025

Re: I.A. No. 01 of 2024

Heard I.A. No. 01 of 2024. There is delay of about 34



days in filing the present LPA No. 282 of 2024.

2. For the reasons stated in the application read with the affidavit, delay of about 34 days in filing the present LPA No. 282 of 2024 is condoned.

3. Accordingly, I.A. No. 01 of 2024 is allowed.

Re: LPA No. 282 of 2024

4. The present LPA is filed in assailing the impugned order dated 09.01.2024 passed in CWJC No. 9538 of 2023.

5. Respondent was allotted a plot for the purpose of production of *Spices, Sattu & Beshan* on 10.05.2010. Possession was handed over to the respondent on 13.07.2010. In not commencing the industry as earmarked, appellants had issued a notice on 14.10.2011 followed by number of notices and there was no response from the respondent. Thereafter, the appellants have inspected the spot and drawn a proceedings. While taking note of the aforementioned material information, the appellants have proceeded to cancel the allotment of the plot in favour of the respondent on 18.11.2022.

6. Feeling aggrieved by the order dated 18.11.2022, respondent preferred CWJC No. 9538 of 2023 and it was decided in his favour on 09.01.2024. Hence, the present LPA by BIADA and others.



7. Having regard to the conduct of the Respondent No. 1, appellants have made out a case so as to interfere with the order of the learned Single Judge.

8. Be that as it may, we have come across recently a policy decision of BIADA/ State in respect of Amnesty Policy 2025. Under the aforementioned policy, the Respondent No. 1 is hereby directed to approach the BIADA within a period of one month from the date of receipt of this order. Thereafter, the BIADA is hereby directed to examine the grievance of the Respondent No. 1 on par with similarly situated persons read with policy matter and take a positive decision within the period of two months from the date of receipt of the respondent's request, till then the Respondent No. 1 shall not be displaced and take any further steps. In the meanwhile, BIADA is permitted to calculate any arrears of due to be paid by the Respondent No. 1 and demand the same from the Respondent No. 1 and he has to remit within a period of two months.

9. With the above observations, the present LPA No. 282 of 2024 is disposed of.

10. It is made clear that order of the learned Single Judge would not be a hurdle in undertaking the above action.

11. At this stage, learned counsel for the respondent,



on instruction, submitted that in the light of order of the learned Single Judge respondent is stated to have furnished the Bank Guarantee for a sum of Rs. 2,00,000/- the same shall be disburse to the Respondent No. 1 after complying the aforementioned direction.

(P. B. Bajanthri, CJ)

(Alok Kumar Sinha, J)

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