

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12069 of 2024

M/S Janta Chemical A.10, Industrial Estate, Bela, Muzaffarpur through its Proprietor Vaidyanath Prasad Shahi, aged about 75 years, Son of Ramdeo Prasad Shahi, resident of Mohalla- Gannipur, Opposite S.K.J. Law College, Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Department of Industries, Government of Bihar, Patna.
2. The Managing Director, Bihar Industrial Area Development Authority, Udyog Bhavan, East Gandhi Maidan, Patna.
3. The Joint Managing Director, Bihar Industrial Area Development Authority, Udyog Bhavan, East Gandhi Maidan, Patna.
4. The Deputy General Manager, Bihar Industrial Area Development Authority, Muzaffarpur Cluster, Muzaffarpur.
5. Shri Sanjeev Kumar, who has been given possession of 3390 sft. of land belonging to the petitioner (his address is not known to the petitioner, the same may be provided by the BIADA).

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Prashant Sinha, Advocate
For the State	:	Mr. Vivek Prasad, GP-7
For the BIADA	:	Mr. Abu, Advocate
For the Respondent/s	:	Mr. Sanjay Kumar Sharma, Advocate

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

7 01-07-2025 The present writ petition has been filed for the following reliefs:

“(i) For necessary direction upon the BIADA to produce the letter of allotment made in favour of respondent no. 5 and the letter of possession issued in his favour, whereby possession of 3390 sft. of land of the petitioner situated in Plot No. A-10 (Part) situated in Industrial Estate, Muzaffarpur has been given on paper to respondent no. 5 and further to quash such allotment letter and possession letter whereby 3390 sft. of land of the petitioner has been allotted and the possession has been transferred by the BIADA without following the



due process of law, particularly when the appeal no. 35/2024 is still pending before the Additional Chief Secretary, Industries Department, Govt. of Bihar.

(ii) For necessary direction upon the respondent authorities of BIADA to restore the possession of the petitioner over the land having area of 3390 sft. In Plot No. A-10 (P) in the Industrial Estate, Muzaffarpur, which has been illegally and arbitrarily transferred to respondent no. 5.

(iii) For restraining the respondents from taking physical possession over the land having area of 3390 sft., which has been given to respondent no. 5 on paper while the petitioner is in physical possession over the land in question.

(iv) For any other direction which your Lordships may deem fit and proper in the facts and circumstances of the case.”

2. Learned counsel for the respondent no. 5 has stated that the respondent-BIADA has granted him an alternate land, and therefore, respondent no. 5 is not all connected with the present writ petition. Learned counsel for the respondent-BIADA stated that as against the cancellation of the allotment made to the petitioner and the petitioner preferred an appeal and the same is pending. However, due to the status quo order granted by this Court, the appeal is not being heard. Learned counsel states that the present writ petition may be disposed of directing the Appellate Authority to pass necessary orders on merits in the appeal filed by the petitioner.

3. Learned counsel for the petitioner stated that he has not objection with the above, provided his interest is



safeguarded as on date he is in possession of the said property.

4. Having regard to the above mentioned facts and circumstances, the present writ petition is disposed of directing the Appellate Authority to dispose of the appeal no. 35/2024 filed by the petitioner preferably within a period of twelve weeks from the date of receipt of the copy of this order. Needless to observe that before passing any order, petitioner shall be granted an opportunity of hearing. Any order passed shall be communicated to the petitioner. Till such time the final order is passed, the status quo existing as on date shall be maintained by all the parties.

5. The writ petition stands disposed of.

(A. Abhishek Reddy , J)

Anushka/-

U			
---	--	--	--

