

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.2639 of 2024

In
Civil Writ Jurisdiction Case No.10512 of 2024

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M/S Poorvanchal Urja (P) Limited through its Director namely Surendra Kumar Singh @ Surender Kumar Singh, Gender- Male, aged about 63 years, S/o- Late Raghav Singh, R/o- RZ- 1/57, Street- 1, Tughlkabad Extn., Kalkaji, P.S.- Govindpuri, South Delhi - 110019.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Shri Sandeep Poundrik, the Principal Secretary, Department of Industries, Govvernment of Bihar, Patna.
3. Shri Alok Ranjan Ghosh, the Managing Director, Bihar Industrial Area Development Authority (BIADA), Udyog Bhawan, Gandhi Maidan, Patna.
4. Shri Pankaj Dixit, the Joint Managing Director, Bihar Industrial Area Development Authority (BIADA), Udyog Bhawan, Gandhi Maidan, Patna.
5. Shri Ravi Prakash, the Executive Director (Administration), Bihar Industrial Area Development Authority (BIADA), Udyog Bhawan, Gandhi Maidan, Patna.
6. Shri Amit Kumar, the Deputy General Manager, Bihar Industrial Area Development Authority (BIADA), Bihta Cluster, Industrial Area, Sekunderpur, Bihta.
7. Shri Ankur Sinha, Area In-charge, BIADA, Industrial Area, Bihar Industrial Area Development Authority (BIADA) Buxar.
8. Shri Gopal Prasad, the Assistant Area in-charge, Industrial Area, Bihar Industrial Area Development Authority (BIADA), Buxar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Rajendra Narayan, Sr. Adv. Mr. Lal Babu Singh, Adv.
For the B.I.A.D.A.	:	Mr. Prashant Pratab, Adv. Mr. Shadwal Harsh, Adv.

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

3 31-01-2025 M.J.C. is filed complaining about the willful and deliberate violation of the order dated 25.07.2024 passed in CWJC No. 10512 of 2024.

2. Learned counsel for the petitioner has stated that



even though specific direction was given to the Respondent-BIADA to handover the physical possession of the subject property to the petitioner, the authorities have taken their own sweet time in handing over the physical possession to the petitioner. Learned counsel has stated that the impugned order was passed on 25.07.2024 and the order was uploaded on the very same day. However, the physical possession was handed over only on 20th August, 2024. Learned counsel has stated with this act of defiance definitely needs to be condemned and the respondent authorities punished for deliberate and willful violation of the orders passed by this Court.

3. Learned counsel appearing on behalf of the respondents-opposite parties has vehemently opposed the very maintainability of the present M.J.C. application and stated that the authorities have complied with order passed by this Court in true letter and spirit and handed over the physical possession of the subject property to the petitioner. Learned counsel has further stated that no time limit was fixed in the order to handover the possession due to that administrative exigencies the possession could be handed over to the petitioner only on 20.08.2024. Learned counsel has therefore prayed this Hon'ble Court to close the M.J.C.



4. Having regard to the fact that physical possession has already been handed over to the petitioner on 20.08.2024 though not immediately as directed by this Court which delay has being explained. Therefore, this Court does not find that there is any deliberate or willful default which could entail this Court to invoke the provisions of the Contempt of Courts Act. Having regard to the same the M.J.C. stands closed.

(A. Abhishek Reddy , J)

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