

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.15541 of 2024**

M/s Bihar Fuel Industries having its Head Office at Barun Industrial Area, At and P.O.- Barun, District- Aurangabad, Bihar through its Partner Sri Krishna Sharma, aged about 65 years Male, S/o Late Ram Ratan Sharma, resident of Pani Tanki, Dehri-On-Sone, P.S.- Dehri, District- Rohtas, Sasaram, Bihar.

... .. Petitioner/s

Versus

1. The Bihar State Industrial Area Development Authority through Managing Director, Udyog Bhawan, Gandhi Maidan, Patna.
2. The Dy. General Manager, Gaya Cluster, Bihar Industries Area Development Authority, Barun, District- Aurangabad.
3. Development Officer, BIADA, Udyog Bhawan, Gandhi Maidan, Patna.

... .. Respondent/s

**Appearance :**

|                      |   |                            |
|----------------------|---|----------------------------|
| For the Petitioner/s | : | Mr. Arbind Kumar Jha, Adv. |
| For BIADA            | : | Mr. Gyan Shankar, Adv.     |
| For State            | : | Mr. GP23                   |
| For the Respondent/s | : | Mr. Lalit Kishore          |

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

5      15-04-2025                      Heard the learned counsel for the parties.

The present writ petition has been filed for the  
following relief(s):-

*“That the present writ petition is being filed for a direction to respondent authorities to release the raw material and finished product i.e., soft coke and smoke less coke, lying in the factory premises of the petitioner’s firm the possession of which was taken on 01.02.2024 and the product are being deteriorated and devalued with lapse of time since the final adjudication of writ petition is CWJC No. 919 of 2024 is subject to reference pending before Division Bench of this Hon’ble Court.*

*The petitioner further prays for issuance of any other writ/writs order/orders and direction/directions for which petitioner*



*may be found entitled.”*

3. Learned counsel appearing on behalf of the petitioner has stated that the allotment made in favour of the petitioner has been cancelled and possession of the subject property taken by the respondent-BIADA. Learned counsel has further stated that the petitioner is restricting his prayer in the present writ petition only for handing over the raw material and finished products i.e., soft coke and smoke less coke lying in the factory premises to the petitioner. Learned counsel has stated that if the same is not utilized, the product will become useless and the petitioner will suffer huge financial loss.

4. *Per contra*, the learned counsel appearing on behalf of the respondents has vehemently opposed the very maintainability of the present writ petition and stated that after taking out the possession of the subject property, the petitioner has broken the lock and tried to take physical possession of the subject property and an FIR has also been lodged against the petitioner. Learned counsel has stated that the present writ petition does not have any merits and the same may be dismissed.

5. Having regard to the fact that the respondent-BIADA has already cancelled the allotment made to the petitioner and going through the record, this Court is of the



opinion that the ends of justice would be met if a direction is given to the respondent-BIADA to take physical inventory of both the raw material and the finished products i.e., soft coke and smoke less coke and put the petitioner on notice and hand over the same to him under receipt. The entire exercise shall be completed as expeditiously as possible preferably within a period of three weeks from the date of receipt of a copy of this order.

6. With the above direction, the present writ petition stands disposed of.

(A. Abhishek Reddy, J)

Ayush/-

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