

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10 of 2025

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M/s Jai Krishna Steel Private Limited, A Company registered under the Indian Companies Act, 1956 having its registered office at Plot No. S-15, 16, 17, 18, 2nd Phase, Industrial Area, Fatuha, District-Patna- 803201, through its Director namely, Sumit Agrawal (Male), Aged about- 41 years, Son of Suresh Kumar Agrawal, Resident of Road No. 8/C, Kadamkuan P.S.- Kadamkuan, District-Patna, PIN-800016.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Industries Department, Government of Bihar, Patna.
3. The Director Industries, Department of Industries, Government of Bihar, Patna.
4. The Director (Technical) Development, Department of Industries, Government of Bihar, Patna.
5. The General Manager, District Industries Centre, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Mrigank Mauli, Sr.Adv. Mr. Sanjay Kumar, Adv. Mr. Sanket, Adv. Mr. Navin Kumar Singh, Adv.
For the Respondent/s	:	Mr. Standing Counsel (26)
For the State	:	Mr. Divit Vinod, Adv. Mr. Santosh Kumar Mishra, Adv.

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

8 10-09-2025 Heard the learned counsel for the parties.

2. This writ petition has been filed for the following
relief(s):-

*“(i) For issuance of order/orders,
direction/directions or writ/writs in the nature of
Mandamus directing the Respondent State to
grant the benefit of incentives in terms of Clause
3 (i) of the Industrial Incentive Policy-2011 and
in terms of the approval granted by the*



authorities prescribed under Memo No. 2446 dated 15.07.2011 to the petitioner unit as the petitioner's project fulfilled all the requisite eligibility and its project had been approved by the State Investment Promotion Board [for brevity "SIPB"] in its meeting held on 12.01.2011 as the incentives have been illegally discontinued in the mid-way of Policy, since 01.07.2017.

(ii) For issuance of order/orders, direction/directions or writ/writs in the nature of Mandamus directing the Respondent State to grant the benefit of incentives in terms of Clause 4 (iv) of the Industrial Incentive Policy-2011 to the petitioner unit as the petitioner unit had expanded their incremental production of the existing units and its proposal for capacity expansion had been duly approved by the State Investment Promotion Board [for brevity "SIPB"] in its meeting held on 18.05.2015.

(iii) For issuance of writ in the nature of Mandamus directing the respondents to reimburse of incentive in terms of Clause 3 (i) to the existing unit as well as the applicable incentives to the unit after its capacity expansion in terms of clause 4(iv) of the Industrial Incentive Policy-2011 and in terms of the Judgment dated 29.07.2019 passed by the Hon'ble Division Bench of this Hon'ble Court in CWJC No. 12104 of 2018 [reported in 2020(2) BLJ 55]."

3. Learned counsel for the petitioner submits that



subsequent to the filing of the writ petition the respondents have filed their counter affidavit. In the counter affidavit they have taken stand that since huge amounts were involved in the applications received from all the units through online portal till 31.08.2023, the Finance Department had directed the department to take the approval of the Cabinet. Thereafter the cabinet meeting was held on 25.04.2025 and approval for the proposals/claims of the units which made their applications till 31.08.2023 was granted. Thereafter the application of the petitioner was also processed and it was found that the petitioner had not submitted the fire audit certificate and other relevant documents. That the department vide letter No. SIPB/1221 dated 15.05.2025 had communicated to the petitioner to take necessary steps for submitting the above said documents. Thereafter a reminder was sent to the petitioner vide letter no. SIPB/1308 dated 27.05.2025. Learned counsel submits that petitioner has thereafter submitted the necessary documents and also the audit report from the Fire Department dated 08.07.2025 to the authorities vide covering letter dated 09.07.2025.

4. Having regard to the above and also the stand taken by the respondents in their counter affidavit, the authority is directed to process the application made by the petitioner for



claiming the incentives under Clause 3 (i) of the Industrial Incentive Policy-2011 to the existing unit as well as the expanded capacity from September 2012 to June 2017 for which an amount of Rs. 7,95,72,852/- is still pending reimbursement for the period from 01.07.2017 to 13.09.2024. The entire exercise shall be completed as expeditiously as possible preferably within a period of eight weeks from the date of receipt of the copy of this order. In case the authority is requires any clarification or any other documents to process the application made by the petitioner, they shall put the petitioner on notice and give him an opportunity of the submitting the same.

5. With the above directions, the present writ petition stands disposed of.

(A. Abhishek Reddy , J)

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