

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.166 of 2026

In
Civil Writ Jurisdiction Case No.12138 of 2023

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M/s Naturals Dairy (P) Ltd. a company registered under the Companies Act, 1956 having its registered office at Plot No.-NS-11, Patliputra Industrial Area, 1st Plot at BIADA Gate No. 5, Town and District-Patna through its authorized representative Sri Hemant Kumar Das son of Late Sri Awadhesh Kumar Das, aged about 57 years, Gender-Male, Resident of 504, White House, Block-A, Budha Marg, P.S. Kotwali, Town and District-Patna, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary Department of Industries Government of Bihar Patna.
2. The Principal Secretary, Department of Industries, Government of Bihar, Patna.
3. The Development Commissioner, Department of Industries, Government of Bihar, Patna.
4. Bihar Industrial Area Development Authority (BIADA), through its Managing Director, 1st Floor, Udyog Bhawan, East Gandhi Maidan, Patna.
5. The Managing Director, Bihar Industrial Area Development Authority (BIADA), 1st Floor, Udyog Bhawan, East Gandhi Maidan, Patna.
6. The Deputy Managing Director, Bihar Industrial Area Development Authority (BIADA), Motipur Circle, Muzaffarpur.
7. The Assistant Regional Director, Industrial Area, Panapur, Motipur, Muzaffarpur.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nikhil Kumar Agrawal, Advocate.

For the Opposite Party/s : Mr. Vikash Kumar, SC 11.

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

3 25-02-2026 Heard the learned counsel appearing on behalf of the

petitioner and the learned counsel appearing on behalf of the

Respondent-BIADA.

2. The present MJC has been filed seeking

modification of the order dated 20.02.2025 passed in CWJC No.



12138 of 2023.

3. Learned counsel appearing on behalf of the petitioner submits that due to unavoidable reasons the order passed by this Court in CWJC No. 12138 of 2023 dated 20.02.2025 could not be complied within the time stipulated by this Court. Learned counsel submits that this Court has granted one year time for completing the factory/industry from the date of the order i.e. one year from 20.02.2025. Learned counsel submits that due some unavoidable logistical problems and financial constraints, the petitioner could not complete the factory/industry within time and seeks further period of three months for completing the building in all respects.

4. Learned counsel appearing on behalf of the Opposite Party-BIADA has vehemently opposed the granting of any extension of time to the petitioner. Learned counsel submits that at the time of passing the order in CWJC No. 12138 of 2023, this Court duly taking into consideration all the relevant facts has granted sufficient period of nearly one year to complete the building but the petitioner has failed to do so.

5. Having regard to the fact that the petitioner has already completed major portion of the constructions and only some work remains to be completed. The present MJC filed



seeking modification of the order dated 20.02.2025 passed in CWJC No. 12138 of 2023 cannot be rejected solely on the ground that the petitioner has not completed the work within the stipulated period of approximately one year. This Court deems it fit to grant a further period of three months from 25.02.2026 to enable the petitioner to complete the factory/industry and commence the production. It is made clear that no further time will be granted and in case the petitioner does not complete the factory/industry and commences the production as directed by this Court, the necessary consequences will follow.

6. Accordingly, the present MJC stands closed.

(A. Abhishek Reddy, J)

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