

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.704 of 2023
In
Civil Writ Jurisdiction Case No.12186 of 2022

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1. The Bihar Industrial Area Development Authority Udyog Bhawan, Patna 800004.
 2. The Managing Director, Bihar Industrial Area Development Authority, Udyog Bhawan, Patna 800004.
 3. The General Manager, Bihar Industrial Area Development Authority, Udyog Bhawan, Patna 800004.

... .. Appellant/s

Versus

1. M/s Kaveri Liquors (P) Ltd. Acompany incorporated under the Companies Act, 1956, having its registered office at 1st Floor, Maha Laxmi Complex, Rajendra Path, Patna through its Director, Shri Rohit Shankar Male, aged about 52 years, son of Late Dayashankar resident of Mohalla- Kazipur, Nayatola, P.S. Kadamkuan District- Patna- 800004.
2. The State of Bihar through the Principal Secretary, Industries Department, Government of Bihar, Patna.
3. M/s Industrial Development Bank of India (Now IDBI Bank), Uma Complex, Fraser Road, P.O.- G.P.O., P.S.- Kotwali, District- Patna, Bihar 800001.

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Yogendra Prasad Sinha, AAG-7 Mr. Rajeev Kumar Sinha, AC to AAG-7
For the Respondent No.1:		Mr. Satyabir Bharti, Sr. Adv. Ms. Kanpuria, Advocate Mr. Abhishek Anand, Advocate

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
and
HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH)

2 27-07-2026 Though the present appeal has been filed by the

Bihar Industrial Area Development Authority (BIADA) against

the impugned judgment dated 17.04.2023, passed in CWJC

No.12186 of 2022, whereby and whereunder the writ petition



has been allowed and it has been held that the allotment of land to the previous allottee would have no binding effect on an auction purchaser, who would be entitled to set up a new industry upon having purchased industrial land in auction.

2. At the outset, the learned Senior Counsel appearing for the respondent no.1 submits by referring to I.A. No.2 of 2024, which has been filed for withdrawal of the writ petition itself, i.e. the one bearing CWJC No.12186 of 2022 that during the pendency of the present appeal, the writ petitioner, i.e. the respondent no.1 has approached the authorities of BIADA, showing its willingness to avail benefits in terms of One Time Transfer Opportunity Policy, 2023 for setting up a unit permissible in terms of the prevalent policy of the BIADA, hence with a view to allow the authority concerned to apply its mind on the proposal submitted by the writ petitioner without being influenced by the Court's order interfering with the policies of BIADA, the writ petitioner has thought it proper to withdraw the present writ petition.

3. Having regard to the submissions put forth by the learned Senior Counsel for the respondent No.1 as also considering the averments made in I.A. No.2 of 2024, we find that since the writ petitioner is no longer interested in pursuing



its case, it would be appropriate to give a quietus to the issue involved in the present case by observing that the impugned judgment dated 17.04.2023 shall not be liable to be acted upon by the appellants and the writ petition shall stands dismissed as not pressed.

4. Accordingly, the present appeal stands disposed of.

(Mohit Kumar Shah, J)

(Sourendra Pandey, J)

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