

(2022) 07 PAT CK 0093

In the Patna High Court

Case No : Civil Writ Jurisdiction Case No. 4590 Of 2022???

M/S. Vishwanath Industries

APPELLANT

Vs

State Of Bihar

RESPONDENT

Date of Decision : 21-07-2022

Acts Referred:

Citation : (2022) 07 PAT CK 0093

Hon'ble Judges : Sanjay Karol, CJ;S. Kumar, J

Bench : Division Bench

Advocate : Rajesh Ranjan, Subhash Prasad Singh

Final Decision : Disposed Of

Judgement

Heard learned counsel for the parties.

Petitioner has prayed for following reliefs:-

Pursuant to our previous order, petitioner has given an undertaking by way of filing a supplementary affidavit. Relevant paragraphs whereof are reproduced as under:-

Learned counsel for BIADA states that petition can be disposed of in terms of the undertaking so furnished.

The undertaking is accepted and taken on record. Consequence of breach thereof, including initiation of proceedings for contempt having violated the undertaking furnished before this Court stands explained to the petitioner through the learned counsel.

As such, petition is disposed of in the following terms:-

(a) Undertaking of the petitioner dated 24.06.2022 (reproduced supra) is accepted and taken on record;

(b) Petitioner has been made aware of the consequences of breach thereof,

including initiation of proceedings for contempt;

(c) In the event of default of the undertaking, petitioners shall hand over vacant and peaceful possession of the allotted property to BIADA;

(d) Liberty reserved to BIADA, to approach this Court, should the petitioner fail to abide by the undertaking furnished before this Court;

(e) Order dated 01.07.2020 passed by respondent no.2, namely, The Secretary, Department of Industries, Government of Bihar, Patna in Appeal Case No.22 of 2019 (Annexure 9) and the order dated 14.03.2019 passed by respondent no.6, namely, The Executive Director, Bihar Industrial Area Development Authority (BIADA), Regional Office, Bhagalpur, (Annexure 8) Patna are quashed and set aside;

Petition stands disposed of in the aforesaid terms.

Interlocutory Application(s), if any, stands disposed of.