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**Government of Bihar**  
**Office of the Principal Secretary, Department of Industries**

**Dated 08.11.2018**

**Appeal Case No – 30/2015**  
**District – Rohtas**

**PRESENT : - K.K. Pathak, I.A.S.,**  
**Principal Secretary**

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**M/s Ujjwal Roto Moulding, Rohtas - Appellant**  
**Vs.**  
**MD, BIADA - Respondent**

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**Appearance:**

**For the Appellant**

**: LA Sunil Kumar**

**For the Respondent**

**: LA Devesh Shankaran**

**08.11.2018**

This is an Appeal filed by the Appellant against the order of the MD dated 27<sup>th</sup> January 2014 vide which is allotment of plot was cancelled.

The Appeal was filed in the year 2015. However, the matter could not be heard earlier. Finally, the matter was posted for hearing on 06<sup>th</sup> November 2018. On that date, the Learned Advocate of Appellant was heard in great detail. The Learned Advocate of BIADA was also heard.



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As per the learned Advocate for the Appellant, he is keen to start the work in the plot. He added that he is already continuing his work in the other plots allotted to him. He was allotted a total of three plots namely B7(P), B8(P), B9(P) totalling 11430 Sq.ft. The Appellant further says that his unit is running and he needed an extra plot.

The Learned Advocate of the BIADA was also heard. BIADA said that his unit is already running and no plot of his has been cancelled. This is therefore not an appeal against cancellation. The Appellant wanted more land which BIADA did not give. Hence he has filed this application, which should be rejected on the technical grounds.

The Learned Advocate of BIADA further mentioned that in actuality, the Appellant was allotted only 10000 Sq.ft. area whereas he is sitting on 11430 Sq.ft. area. This 1430 Sq.ft. is extra area which the Appellant has been requesting for allotment. BIADA refused to allot this 1430 Sq.ft. of area because the said area is in possession of BIADA and the local office of BIADA is running in the said area.

Having heard both the parties and having perused the documents available on record, I find that there is no merit in the contention of the Appellant.

It is clear that as per the allotment order the Appellant was allotted only 10000 Sq.ft. of area. In

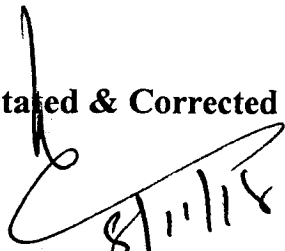
1430Sq.ft. there is a small shed standing on the plot where BIADA is running its local office in Dehri. It seems that the Appellant had deposited the valuation for 11430Sq.ft. whereas he should have deposited the valuation amount of only 10000Sq.ft.

That be the case BIADA should refund the valuation money of 1430Sq.ft. to the Appellant as BIADA is running its own office in that area of 1430 Sq.ft. Hence, the same cannot be allotted to the Appellant.

Subject to above observation I see no reason to interfere with the orders of the MD dated 23<sup>rd</sup> January 2014 as there is no cancellation of his existing plots and BIADA merely refused to give him extra land. Therefore, this technically is not an appeal against the cancellation of order within the BIADA Act.

Appeal Dismissed.

Dictated & Corrected



(K.K. Pathak)

Principal Secretary,  
Department of Industries,  
Bihar



(K.K. Pathak)

Principal Secretary,  
Department of Industries,  
Bihar