

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

Dated 23.11.2018

Appeal Case No – 38/2014
District – Bhojpur

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

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M/s Archie Breweries Pvt. Ltd., Bhojpur - Appellant
Vs.
MD, BIADA - Respondent

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Appearance:

For the Appellant
For the Respondent

: LA Ranjan Kumar Singh
: LA Devesh Shankaran

23.11.2018

This is an Appeal filed by the Appellant against the order of the MD dated 23rd September, 2014 vide which his allotment of plot was cancelled and his money forfeited.

The Appeal was filed in the year 2014 itself. However, the matter could not be heard earlier. Finally, the matter was posted for hearing on 22nd November, 2018. On that date, the Learned Advocate of Appellant was heard in great detail. The Learned Advocate of BIADA was also heard.

As per the learned Advocate for the Appellant, the plot was allotted for Beer Manufacturing. The plot was allotted in the year 2009 and was cancelled in 2014. He further mentioned that he is willing to surrender his plot and wants to exit from the business because no bank is willing to finance any other project. He cannot set up Beer Manufacturing project because of the Prohibition Policy of the State.

The Learned Advocate of the BIADA was also heard. As per the Learned Advocate, there are pending dues running into Crores. The plot was allotted to the Appellant in year 2009 but he did not start any business at which time there was no Prohibition in the State. He is sitting on a huge chunk of a land measuring 5 Acres (217100 Sqft.). In the year 2013 he was given an option to avail the Exit Policy but he did not enrol for the same. The Appellant is sitting on a prime industrial area. He was given an extension earlier also but he did not start the production.

Having heard both the parties and having perused the documents available on record, I find that the Appellant is wants to exit the business. He is certain that no banks is going to finance his any other project.

That be the case, I am inclined to consider his case sympathetically and direct the MD, BIADA to extend him, subject to him being eligible, the facility of the recently announced Exit Policy approved by the

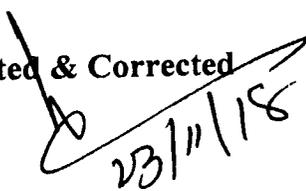


Board of BIADA in their last Board Meeting held on 15th November, 2018.

This is the only favourable option available to the Appellant. If he is not eligible to enrol for the recently announced Exit Policy, it naturally follows that MD's cancellation order stands confirmed by this Appellate Authority. In that case, any money deposited by the Appellant shall stand forfeited and MD shall take immediate possession of the plot.

Appeal disposed off with above observations.

Dictated & Corrected


(K.K. Pathak)
Principal Secretary,
Department of Industries,
Bihar


(K.K. Pathak)
Principal Secretary,
Department of Industries,
Bihar