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31/12/18



Bihar Industrial Area Development Authority

First Floor, Udyog Bhawan, East Gandhi Maidan, Patna- 800004

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ORDER

I have gone through the order dated 06.12.2018 of Learned Appellate Authority passed in Appeal No. 35/2015, M/s. Bagmati Construction, Forbesganj wherein Learned Appellate Authority have directed that:-

1. Firstly, the Appellant should clear the pending dues of BIADA with interest.
2. Thereafter, the Appellant should submit Bank Guarantee of Rs. 1 Lakhs for a period of two years along with an Affidavit to BIADA that the Appellant will start the business within 3 months from the date of this order and shall remain in continuous operations; and should he stop his operations or violate any other condition of the allotment letter/ BIADA Act/ BIADA Rules, the above Bank Guarantee shall be encashed by BIADA.
3. Once the above steps are completed and the Appellant submits the Bank Guarantee along with an Affidavit to BIADA, the MD shall restore the allotment to the Appellant.
4. If the Appellant does not approach BIADA and fulfils condition above within 15 days from the date of this order, BIADA shall be free to take the possession of this land and re-allot it to any other entrepreneur as per its extant policies.
5. The BIADA should take up infrastructure improvements in the entire Industrial area of Araria and finish the roads within 6 months.

Accordingly, the documents available on record has been examined and considered the entire matter wherein it is found that the Appellant has complied the order dated 06.12.18 in Appeal No. 35/2015, M/s. Bagmati Construction, Forbesganj by performing the pre requisite conditions of the conditional restoration.

Keeping in view the facts mentioned above, the allotment of land is hereby restored conditionally and in terms of the order dated 06.12.18 passed by the Learned Appellate Authority in Appeal No. 35/2015, M/s. Bagmati Construction, Forbesganj. Moreover, it may also be noted that if the subsequent part of the order is not complied by the Appellant in future, the restoration order shall be taken back and further coercive action would ensue along with the encashment of bank guarantee. The entire responsibility of such action arising out of such non compliance/breach/defiance would be of the Appellant and no future claim would be entertained.

The Appellant may be informed accordingly. Order of M.D. dated 29.12.18

Sd/-

Executive Director

Date..31.12.18.

Memo No:-741/D.

Copy to:- Appeal No. 35/2015, M/s. Bagmati Construction, Forbesganj /E.D. [H.O.]/E.D. BGP/Area Incharge, Forbesganj/Law Officer, BIADA, Patna/S.A.O., BIADA, Patna for information and needful.


31/12/18
Executive Director


31/12/18