

IN THE HIGH COURT OF JUDICATURE AT PATNA

CWJC No.1232 of 2004

MR.ANAND MOHAN SON OF LATE SHIV DYUTI PRASAD, R/O  
HUDA HOUSE, SOUTH GANDHI MAIDAN, PATNA  
800001.....PETITIONER.

Versus

1. THE STATE OF BIHAR THROUGH THE SECRETARY,  
DEPARTMENT OF INDUSTRY, VIKASH BHAWAN, PATNA.
2. BIHAR STATE INDUSTRIAL DEVELOPMENT  
CORPORATION, THROUGH ITS MANAGING DIRECTOR  
AND CHAIRMAN, PATNA.
3. HOUSING AND URBAN DEVELOPMENT CORPORATION  
LTD. THROUGH ITS CHAIRMAN-CUM-MANAGING  
DIRECTOR HUDCO BHAWAN, LODI ROAD, NEW DELHI-  
110003.
4. REGIONAL CHIEF, REGIONAL OFFICE HUDCO, PATNA  
BLOCK, B -2, MAURYA LOK COMPLEX, DAK  
BUNGALOW, PATNA.
5. M/S TRANS FIBRE PIPES (INDIA)LTD. JOINT SECTOR  
COMPANY WITH BIHAR STATE INDUSTRIAL  
DEVELOPMENT CORPORATION (GOVT. OF BIHAR)  
THROUGH ITS CHAIRMAN, INDIRA BHAWAN, RAM  
CHAITRA PATH, BORING ROAD, PATNA....RESPONDENTS.

16/ 31.03.2011

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Heard learned counsel for the petitioner and learned

counsel for the respondents.

2. This writ petition has been filed by the petitioner  
for direction to the respondent Bihar State Industrial  
Development Corporation to disburse the entire remaining  
amount of Rs.37 lacs as equity in Trans Fiber Pipes (India) Ltd.  
as its matching equity contribution as well as to arrange for the  
working capital so that the company which is a joint sector  
company enters into commercial production and for direction to  
the Housing and Urban Development Corporation not to take any  
action and charge any interest or penal interest against the  
company, namely Trans Fibre Pipes (India) Ltd. a joint sector  
company with BSIDC (Govt. of Bihar) unless and until the whole  
disbursement is made by the BSIDC and the company enters into

commercial production and generates surplus by achieving break even points as well as for quashing the proceeding initiated under section 19 of the Recovery of Debt due to Bank & Financial Institution Act, 1993 by the Housing and Urban Development Corporation against the company and BSIDC before Debt Recovery Tribunal Patna in O.A. No.15 of 2003 and to say the proceedings of the Debt Recovery Tribunal in the aforesaid case during the pendency of the writ petition and for a direction to make adequate compensation for the losses sustained to the company due to delay disbursal and non-payment of the sanctioned amount by the respondent Housing and Urban Development Corporation and BSIDC and for other ancillary reliefs.

3. Learned counsel for the petitioner submits that the aforesaid proceeding has culminated during the pendency of this writ petition, but the petitioner is entitled to the reliefs which he has claimed. Learned counsel for the respondents vehemently opposes the contentions of learned counsel for the petitioner and submits that the petitioner is not entitled to any claim whatsoever.

4. After some arguments learned counsel for the petitioner seeks permission to withdraw this petition with a liberty to move before the appropriate forum for raising his aforesaid grievances. Accordingly, this writ petition is disposed of as withdrawn with the aforesaid liberty.

Harish

(S.N. Hussain, J.)