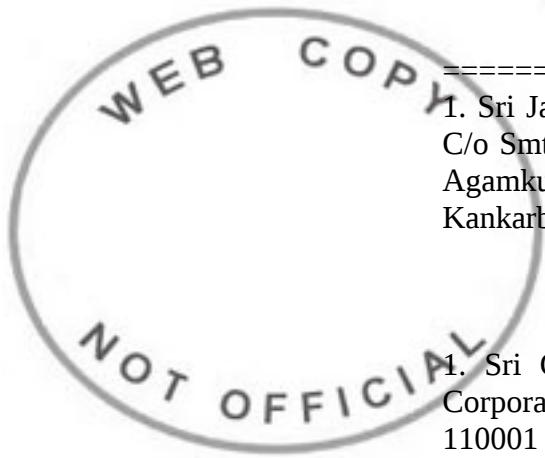


IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.4363 of 2014
In
Civil Writ Jurisdiction Case No. 2945 of 2014



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1. Sri Jayant Kumar Son of Late Ishwar Chandra Prasad R/o M.G. Nagar, C/o Smt Uma Devi Near Maa Utsav Hall, Post Office - B.H. Colony, P.S. Agamkuan, District Patna posted as a Ex-Manager (Civil Engg) Kankarbagh, Patna-800026

.... Petitioner/s

Versus

1. Sri C. Vishwanath, The Chairman AND Managing Directors, Food Corporation of India Headquarters 16-20, Barakhamba Lane, New Delhi-110001
2. Smt. Seema Kakkar, The Executive Director (East Zone), Food Corporation of India, 10A, Middlelono Row, Kolkata-700071
3. Sri Anindya Banarjee, General Manager (Pers AND Vig) (East Zone) Food Corporation of India, 10 A, Middletown Row, Kolkata-700071
4. Sri Saikat Ghosh, The General Manager (East zone), Food Corporation of India, 10 A, Middletown Row, Kolkata-700071
5. Sri Abinash Kumar, The General Manager (Law), Food Corporation of India, Arunachal Building, Exhibition Road, Patna-800001

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Syed Asgher Najmi

For the Respondent/s : Mr. Prabhakar Tekriwal

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

7 19-08-2015 A show cause reply has been filed on behalf of Opposite party no.2 stating therein that the matter has finally been decided by the Apex Court by an order dated 17.8.2015 passed in SLP © No. 22573 of 2015. It has further been stated in paragraph 6 of the said show cause reply that the disciplinary authority has passed an order dated 18.8.2015 reinstating the petitioner in service against the post of Manager (Civil Engineering) with minor

penalty of withholding of two increments for two years with effect from 27.11.2012, along with consequential benefits. The said order dated 18.8.2015 passed by the disciplinary authority has been brought on record by way of Annexure-C to the said show cause reply in which the disciplinary authority has specifically mentioned that if the petitioner files an affidavit that he was not gainfully employed else where during the period when he was out of service, he will be paid backwages for the said period.

Learned counsel for the petitioner states that the petitioner has already filed such an affidavit on 19.8.2014. She states that, if required, the petitioner shall file such affidavit afresh in the light of the order of the disciplinary authority dated 18.8.2015.

In view of the show cause reply filed on behalf of the Opposite parties, as noted above, I do not intend to proceed any further in the contempt proceeding.

This application is accordingly, dismissed.

(Chakradhari Sharan Singh, J)

ArunKumar/-

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