

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 702 of 2015

1. Dular Say Aditya S/o Vishambhar Prasad Aditya Aged About 62 Years Retired A.G.-2 (Depot) Resident Of Amriyapara, Janjgir, Civil And Revenue District Janjgir Champa (C.G.)

---- Petitioner

Versus

1. Food Corporation Of India Through General Manager (Region) Region Office Kapa, Raipur, District Raipur (C.G.)
2. The Manager (Admn) F.C.I. District Office, Bilaspur, District Bilaspur (C.G.)
3. The Manager (Accounts/ Storage Section-3) FCI District Office, Bilaspur, District Bilaspur (C.G.)

---- Respondent

For Petitioner	Shri A.H. Syed, Advocate
For Respondent/FCI	Shri Himanshu Sinha, Advocate

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

18/08/2015

Heard learned counsel for the parties.

1. At the very outset, learned counsel for the respondents would submit that the impugned order dated 9-7-2014 has been passed by the General Manager (Region), FCI, under Regulation 58 of the FCI (Staff) Regulations, 1971 imposing penalty of deemed

compulsory retirement from services of the FCI along with forfeiture of gratuity to the extent of Rs.5,00,000/-. The impugned order itself provides that a statutory appeal shall lie to the Executive Director (West), ZO, FCI, Mumbai, within a period of 45 days, however, despite the said observation, the petitioner has approached this Court in March, 2015.

2. In view of availability of alternative remedy, this Court is not inclined to entertain this writ petition. Accordingly, the petition is dismissed with liberty to the petitioner to avail the alternative remedy by filing the statutory appeal, as mentioned above, within a period of 30 days from today.

Sd/-

Judge

Prashant Kumar Mishra

Gowri