

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.8656 of 2014

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Dr. M.L. Banerjee, Son of Late B.K. Banerjee, resident of 196, Patliputra Colony,
P.S. Patliputra Colony, Dist- Patna, Patna-800013

.... Petitioner

Versus

1. The Managing Director, Food Corporation of India, Head Quarder, 16-20, Barakhamba Road, New Delhi
2. The Zonal Manager East, Food Corporation of India, 10A, Middleton Row, Zonal Office- Kolkata
3. The Executive Director (EZ), Food Corporation of India, 10A, Middleton Row, Zonal Office, Kolkata
4. The Senior Regional Manager, Food Corporation of India, Regional Office, Arunachal Building (4th Floor), Exhibition Road, Patna- 800 001

.... Respondents

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Appearance :

For the Petitioner : Mr. Nilotpal Ganguli, Advocate
For the Respondents : Mr. Prabhakar Tekriwal

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI
ORAL JUDGMENT
Date: 23-11-2016

It is regrettable that such a high officer i.e. Executive Director, Eastern Zone has mechanically rejected the claim of the petitioner on the opinion of the panel lawyer without application of mind by him.

The authority could have taken inputs from various sources but the final opinion and the order must indicate application of mind in terms of the direction of the Division Bench passed in L.P.A. no. 806 of 2008.

The impugned order contained in Annexure-6 dated 01.06.2009, therefore, is quashed. The matter is remanded back for

fresh consideration. A fresh decision in accordance with law and the directive of the Division Bench must be passed within three months from the date of receipt/ production of a copy of this order.

Accordingly, this writ application is allowed.

(Ajay Kumar Tripathi, J.)

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AFR/NAFR	NAFR
CAV DATE	
Uploading Date	26.11.2016
Transmission Date	