

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.2499 of 2013

In

Civil Writ Jurisdiction Case No. 20190 of 2012

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Sushil Chandra Upadhyay S/O Late Kapildeo Upadhyay Resident Of Village- Parsa, P.O- Nagwan, Police Station- Naubatpur, District- Patna, At Present Resident Of North Patel Nagar, P.O- Kesari Nagar, Police Station- Patliputra, District- Patna.

.... Petitioner/s

Versus

1. The Food Corporation Of India Through Mr. Amar Singh The Managing Director, Bara Khambha Lane, New Delhi.
2. Mr. Amar Singh, The Managing Director, Food Corporation Of India, Bara Khambha Lane, New Delhi.
3. Mr. Sandip Kumar Sharma, The General Manager, (Region) Food Corporation Of India, Arunachal Building Exhibition, Road, Patna.
4. Mr. T. Jai Kumar, The Zonal Manager, Food Corporation Of India, Zonal Office (East), 10 Middleton Road, Kolkata- 800007.
5. Mr. Manoj Kumar, The Area Manager, Food Corporation Of India, District Office, Parmanand Niketan, Gaya.

.... Respondent/s

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CORAM: HONOURABLE MR. JUSTICE RAMESH KUMAR DATTA
ORAL ORDER

2 21-04-2016

I.A. No.9666 of 2014

The interlocutory application has been filed for substitution of the legal heirs of sole petitioner, Sushil Chandra Upadhyay, who is stated to have died on 14.11.2014.

On a consideration of the facts and circumstances of the case, the name of the petitioner (Sushil Chandra Upadhyay) is directed to be deleted and in his place the name of his heirs and legal representatives as mentioned in the interlocutory application are directed to be substituted.

I.A. No.9666 of 2014 is, accordingly, disposed of.

Heard learned counsel for the substituted petitioners and learned counsel for the Food Corporation of India.

In the show cause filed on behalf of the opposite parties- officials of the Food Corporation of India, it is stated that the claim of the petitioners for payment of difference of gratuity in terms of 6th Pay Revision was considered and an amount of Rs. 3,79,382/- has already been paid by cheque dated 23.04.2013, a copy of which has also been annexed to the show cause.

Mr. Prabhakar Tekriwal, learned counsel for the Food Corporation of India submits that after filing the show cause, he has received instruction that the said cheque sent by speed post was returned and thereafter the said amount has been credited to the account of the original petitioner by R.T.G.S.

In the aforesaid circumstances, the order under contempt stands complied with.

The contempt application is, accordingly, dismissed.

(Ramesh Kumar Datta, J)

V.P.Sinha/-

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