

IN THE HIGH COURT OF JUDICATURE AT PATNA

**Letters Patent Appeal No.1752 of 2015
IN
Civil Writ Jurisdiction Case No. 7533 of 2013**

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Pratibha Kumari, Daughter and Legal guardian of Sri Sukhdeo Singh, W/o Sri Parmanand Prasad Singh, Resident of Mohalla Sidheshwar Nagar, North of Vishal Bajrangbali Mandir, House No. 38, Police Station Patliputra, District Patna.

.... Appellant/s

Versus

1. The Union of India through the Secretary, Ministry of Consumer Affairs, Food & Public Distribution, Krishi Bhawan, New Delhi.
2. The Food Corporation of India, Khadya Sadar, Head Quarter 16-10, Barakhamba lane, new Delhi-110001 through its Chairman.
3. The Zonal Manager (West), Food Corporation of India, Mistry Bhawan, D.W. Road, Churjgate, Mumbai-4000250.
4. The Senior Regional Manager, Maharashtra Food Corporation of India, Mistry Bhawan, D.W. Road, Churjgate, Mumbai-400020.
5. The District Manager (Godowns) Food Corporation of India, Shed Sweres Road, Near Railway Station, Mumbai-400033.
6. The Accounts Officer, Pay and Accounts Officer, Ministry of Consumer Affairs, Mumbai.
7. The Zonal Manager (E.), Food Corporation of India, Middleton Row, Kolkata-71.
8. The Senior Regional Manager, Exhibition Road, Patna, Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Gajanan Arun, Advocate
Mr. Gajendra Kr. Singh, Advocate

For the Respondent/s :

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**CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE SUDHIR SINGH**

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 15-03-2017



I.A. No.7874 of 2015

The application is for condonation of delay of 348 days in filing the Letters Patent Appeal.

2. For the reasons mentioned in the Interlocutory Application, we are satisfied that the appellant has shown sufficient cause to seek condonation of delay in filing the present Letters Patent Appeal.

3. Consequently, Interlocutory Application No. 7874 of 2015 is allowed and delay in filing the Letters Patent Appeal is condoned.

L.P.A. No.1752 of 2015

This appeal is filed seeking exception to the order passed by the learned Writ Court in C.W.J.C. No.7533 of 2013 under Section-10 of the Letters Patent.

Learned Writ Court has dismissed the writ petition on account of the fact that the cause of action accrued in the State of Maharashtra and, therefore, this Court has no jurisdiction merely because a letter rejecting the prayer for family pension was received by the petitioner in Patna. In doing so, the learned Writ Court has not committed any error warranting re-consideration. The appeal is



dismissed.

Liberty shall be available to the petitioner as granted
by the Writ Court.

(Rajendra Menon, CJ)

(Sudhir Singh, J)

K.C.jha/-

AFR/NAFR	NAFR
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