

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.1030 of 2014

IN

Civil Writ Jurisdiction Case No. 2828 of 2008

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1. Ganga Sagar Ojha Son of Late Daulat Ojha resident of Mohalla- Hanuman Nagar, P.S.- Patrakarnagar, District- Patna.

.... Appellant/s

Versus

1. The Food Corporation of India, through the Chief Managing Director, Food Corporation of India, Barakhambha Lane, New Delhi.
2. Zonal Manager (East), Food Corporation of India, Middleton Road, Kolkata.
3. Senior Regional Manager, Food Corporation of India, Exhibition Road, Patna.
4. District Manager, Food Corporation of India, Exhibition Road, Patna.

.... Respondent/s

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Appearance :

For the Appellant/s	:	Mr Banwari Sharma
		Mr. Shiv Kumar
		Mr Sahjanand Sharma
For the Respondent/s	:	Mr.Prabhakar Tekriwal

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI
and
HONOURABLE JUSTICE SMT. NILU AGRAWAL

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI)

Date: 04-05-2017

Heard learned counsel for the appellant and learned
counsel for the Food Corporation of India

The order of promotion contained in Annexures 3 and 4
was conditional orders subject to no vigilance case either being
pending or contemplated or not undergoing any penalty at present
before serving the order. Fact of the present case is that the appellant
was convicted in a criminal case and that conviction was upheld right
till the High Court for the relevant period i.e. 1989.



Expectation, therefore, of the appellant that he can still derive benefit of promotion despite the kind of conduct he has shown as employee of the Corporation is misplaced. The appeal has no merit. The learned Single Judge was not in error by dismissing the writ application.

Appeal is dismissed.

(Ajay Kumar Tripathi, J)

(Nilu Agrawal, J)

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AFR/NAFR	NAFR
CAV DATE	NA
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