

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1892 of 2018

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1. Doman Rai Son of Sri Ram Jatan Rai Resident of F.C.I. /F.S.D./ Phulwarisarif, P.O. Phulwarisarif, P.S Phulwarisarif, District- Patna- 801505
 2. Shreekant Kumar Son of late Janali Mahto Resident of F.C.I. /F.S.D./ Phulwarisarif, P.O. Phulwarisarif, P.S Phulwarisarif, District- Patna- 801505
 3. Rabindra Sah Son of late Sukhdeo Sah Resident of F.C.I. /F.S.D./ Narayanpur, P.O. M.I.C. Bela, District- Muzaffarpur-842005
 4. Pramod Kumar Sahni Son of late Ram Bilash Sahni Resident of F.C.I. /F.S.D./ Narayanpur, P.O. M.I.C. Bela, District- Muzaffarpur-842005
 5. Sheikh Sahabuddin Son of late Sheikh Kudush Resident of F.C.I. /F.S.D./ Narayanpur, P.O. M.I.C. Bela, District- Muzaffarpur-842005
 6. Panna Lal Sada Son of late Chandradeo sada Resident of F.C.I. /F.S.D./ Saharsa, P.O. Saharsa, District- Saharsa- 852201
 7. Shambhu Paswan Son of late Heera Paswan Resident of F.C.I. /F.S.D./ Saharsa, P.O. Saharsa, District- Saharsa- 852201
 8. Laxmi Prasad Roy Son of late Jagdish Roy Resident of F.C.I. /F.S.D./ Katihar, P.O. Katihar, District- Katihar- 854105
 9. Shyam Sundar Ram Son of Sri Umesh Ram Resident of F.C.I. /F.S.D./ Mokamah, P.O. & P.S. Mokamah, District- Patna- 803302
 10. Jai Prakash Yadav Son of Sri Binda Yadav Resident of F.C.I. /F.S.D./ Mokamah, P.O. & P.S. Mokamah, District- Patna- 803302
 11. Rajesh Kumar Son of late Mahendra Paswan Resident of F.C.I. /F.S.D./ Gaya, P.O. Gaya, P.S. Chandauti, District - Gaya, - 823001
 12. Sunil Kumar Mandal Son of late Bisheshwar Mandal Resident of F.C.I. /F.S.D./ Jainagar, P.O. Jainagar, District Madhubani- 847226
 13. Giridhari Paswan Son of Ram Karan Paswan Resident of F.C.I. /F.S.D./ Jainagar, P.O. Jainagar, District Madhubani- 847226

.... Petitioner/s

Versus

1. Food Corporation of India Through Its Managing Director, having its Office at 16-20, Barakhamba Lane, New Delhi- 110001
2. Executive Director, Food Corporation of India, 16-20, Barakhamba Lane, New Delhi- 110001
3. Chief General Manager(I.R-L), Food Corporation of India, 16-20, Barakhamba Lane, New Delhi- 110001
4. Assistant General Manager(I.R-L), Food Corporation of India, Regional Office, Arunachal Bhawan, 3rd and 4th Floor, Exhibition Road, Patna,.
5. Area Manager, Food Corporation of India, District Office, Patna Gaya/Darbhanga/ Bhagalpur/Saharsa/Purnea/Muzaffarpur/Motihari/Chapra/Samastipur.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Abhimanyu Vatsa, Advocate
Mr. Rajni Kant Singh, Advocate
For the Respondent/s : Mr. Prabhakar Tekriwal



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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL ORDER

4 09-08-2018 Heard learned counsel for the petitioners and learned counsel for the State.

Both sides have agreed that the fact of this case is identical to the fact of C.W.J.C. No. 1330 of 2018 and its analogous cases and that has been adjudicated and this Court has passed an order that Food Corporation of India can not make recovery from the amount which has already been paid to them, that has also been affirmed by the LPA Court in Letters Patent Appeal No. 780 of 2018 and its analogous cases.

Learned counsel for the Food Corporation of India submits that Food Corporation of India has decided to challenge the order passed by the LPA Court before the Hon’ble Supreme Court. There is no dispute that fact of both cases are identical and impugned order is same. Accordingly the present writ petition will be governed by the result of C.W.J.C. No. 1330 of 2018 and its analogous cases and Letters Patent Appeal No.780 of 2018

Accordingly this writ petition is disposed of.

(Shivaji Pandey, J)

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