

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL REVIEW No.103 of 2017

Arising out of
Civil Writ Jurisdiction Case No.2444 of 2012

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1. The Food Corporation Of India, through Joint Director (Food) Ministry of Food and Civil Supplies, Consumer Affairs Public Distribution, Government of India, New Delhi.
 2. The Joint Director (Food), Ministry of Food and Civil Supplies, Consumer Affairs and Public Distribution, Government of India, New Delhi.
 3. The Deputy Manager (Personnel), Senior Regional Manager, Bihar Region, F.C.I. Regional Office, Patna
 4. The Area Manager, Food Corporation of India, District Office, Patna.
 5. The Account Officer, Ministry of Consumer Affairs Food and Public Distribution, 5, Esplanade, Kolkata.

... .. Petitioner/s

Versus

Kamta Prasad Singh Son of Late Roshan Singh, Resident of Village - Bela, P.O. - Lahsuna, Via - Masaurhi, Police Station - Punpu, District – Patna. The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prabhakar Tekriwal, Advocate
For the Opposite Party/s : Mr. Achal Kumar Sinha, Advocate

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH

ORAL ORDER

2 17-04-2019 Heard learned counsel for the petitioners and learned counsel for the respondent.

2. The present application has been filed seeking review of the order dated 04.09.2015 passed in CWJC No. 2444 of 2012.

3. Learned counsel for the petitioner, at the very outset submitted that the petition is only for modification of the order, as erroneously there has been reference with regard to



payment of 'GPF' amount though the same should have been with regard to 'Gratuity'.

4. Learned counsel submitted that the Court in its order dated 04.09.2015 has recorded that based on the stand taken in the counter affidavit filed on behalf of the petitioner (respondent in the writ petition) with regard to GPF amount, a cheque was sent to him at his postal address and was returned unserved. Learned counsel submitted that the same is a typographical error, inasmuch as, at paragraph no. 12 of the counter affidavit filed in the writ petition, which has been referred in the order, the reference was with regard to 'Gratuity' amount for the period 29.09.1960 to 18.06.1969, which came to Rs. 664/- and in this context, it was stated that the same was sent to the writ petitioner but he refused to accept it. Learned counsel further submitted that the entire amount of CPF has been paid to the writ petitioner and there are no dues of GPF.

5. Learned counsel for the respondent (writ petitioner) could not controvert the submissions of learned counsel for the petitioner.

6. Having regard to the aforesaid, the judgment and order dated 04.09.2015 passed in CWJC No. 2444 of 2012 stands modified to the extent that the reference at paragraph no.



3 of the order with regard to 'GPF' and cheque being sent to the petitioner at his postal address and returned unserved and also in the last paragraph of the order where direction had been given for payment of 'GPF' within three weeks, be corrected to read as 'Gratuity' in place of 'GPF'.

7. Accordingly, the judgment and order dated 04.09.2015 stands modified to the extent indicated above.

8. The rest of the order shall remain the same.

9. The application stands disposed off.

(Ahsanuddin Amanullah, J.)

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