

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.1140 of 2018

In
Civil Writ Jurisdiction Case No.17920 of 2017

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The General Manager (Region) , Food Corporation of India

... .. Petitioner

Versus

Shri Krishna Murari Prasad Verma and Ors .

... .. Opposite Parties

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Appearance :

For the Petitioner/s : Mr. P.K. Verma, Senior Advocate

Mr. Suman Kumar Jha, Advocate

For the Opposite Party-UI: Mr. Ravinder Kumar Sharma, CGC

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

4 26-02-2020 Heard Mr. P. K.Verma, learned senior advocate for

the petitioner and Mr. Ravinder Kumar Sharma, for the opposite

party nos.2 to 4.

This application has been filed by the petitioner for
restoration of CWJC No.17920 of 2017 which was dismissed
due to non-compliance of the peremptory order dated
06.12.2017.

It is submitted by the learned senior advocate
appearing for the petitioner that the corporation had filed a writ
petition for quashing the order dated 07.07.09.2016 passed by
the Deputy Chief Labour Commissioner (Central)-cum-
Appellate Authority and order dated 27/30.01.2014 passed by
the Assistant Labour Commissioner (Central)-cum-Controlling
Authority.



The registry pointed out defect that the petitioner had not filed certified copy of the order dated 27/30.01.2014 passed by the Assistant Labour Commissioner.

When the matter was taken up by the court on 06.12.2017, the petitioner was granted three weeks peremptory time for removing the defect pointed out by the registry. After the order dated 06.12.2017 was passed by this Court, the petitioner had filed requisition before the Assistant Labour Commissioner (Central)-cum-Controlling Authority for obtaining the certified copy of the order dated 27/30.01.2014.

However, the certified copy was not supplied within stipulated period in spite of the best efforts of the petitioner as a result of which the petitioner could not comply with the peremptory order of the court dated 06.12.2017. It is further contended that the petitioner was told by the office of the Assistant Labour Commissioner that no certified copy of order is issued by the office.

Learned counsel for the Union of India does not oppose the prayer of the petitioner for restoration of the writ petition.

Regard being had to the submissions advanced at the Bar, the writ petition vide CWJC No.17920 of 2017 is



directed to be restored to its original file. It is further directed that the requirement of filing certified copy of the order dated 27/30.01.2014 passed by the Assistant Labour Commissioner (Central)-cum-Controlling Authority in the writ petition is also dispensed with.

(Ashwani Kumar Singh, J.)

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