

CWP-12153-2021

Date of decision: 08.07.2021

Vinod Kumar

.....Petitioner

versus

Food Corporation of India and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH**Present:** Mr. D.D. Bansal, Advocate
for the petitioner.**FATEH DEEP SINGH, J. (ORAL)**

Due to outbreak of pandemic COVID-19, the instant case is being taken up for hearing through video conferencing.

The petitioner has invoked the jurisdiction of this Court in terms of Articles 226/227 of the Constitution of India seeking prayer by way of writ of *certiorari* for quashing the impugned order Annexure P-15 dated 13.01.2016 whereby period of suspension i.e. 26.07.2000 to 31.01.2004 and period of dismissal from service from 31.01.2004 to 28.09.2014 has been ordered to be treated as period not spent on duty and impugned order dated 29-30/08.2016 whereby appeal filed before the appellate authority has been dismissed as also the

impugned order Annexure P-24 dated 28.05.2018 whereby Reviewing Authority has rejected the review petition being illegal, void, arbitrary, unjust and unfair and further for issuance of writ in the nature of *mandamus* directing the respondents to consider the period of suspension from 26.07.2000 to 31.01.2004 and period of dismissal from 31.01.2004 to 28.09.2014 as period spent on duty as also the benefit of additional increment of acquisition of higher qualification of Post Graduate Diploma in Business Management in the year 1995 and consequent thereto make payment of benefit of salary and annual increments etc. as also additional increments on having acquired higher qualification with interest @ 18% per annum.

Heard.

Upon hearing learned counsel of both the sides and on perusal of the records, the present petition stands disposed off with the directions to the official respondents to consider II review petition (Annexure P-27) moved by the petitioner and decide the same in accordance with law, by passing a speaking order preferably within a period of one month from the date of receipt of the certified copy of this order.

The petition stands disposed off accordingly.

08.07.2021

Neha

**(FATEH DEEP SINGH)
JUDGE**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No