

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.484 of 2021

In
Civil Writ Jurisdiction Case No.601 of 2012

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Hare Ram Sahni Son of Late Dular Chand Sahani resident of village- Dulaur,
P.o.- Pirapur, P.s.- Jandaha, District- Vaishali

... .. Petitioner/s

Versus

1. The Union of India through the Principal Secretary, Food and Civil Supply, Govt. of India, New Delhi.
2. The State of Bihar, through the Chief Secretary, Govt. of Bihar namely Sri Deepak Kumar Singh.
3. The Food Corporation of India, Govt. of India, New Delhi.
4. The District Magistrate, Samastipur namely Sri Devesh Sehra
5. The Senior Regional Manager, Food Corporation of India, Regional Office- Arunachal Bhawan, Exhibition Road, Patna-800001.
6. The Food Corporation of India Office of the General Manager (Regional), West Bengal Region-6, Royal Street, Kolkata-700016 namely Sri Chandan Kumar Verma
7. The Regional Manager, Food Corporation of India, Regional Office- Arunachal Bhawan, Exhibition road, Patna-800001, namely Sri Brajesh Kumar Pandey.
8. The Divisional Manager, Food Corporation of India, Kashipur, Samastipur namely Sri Manoj Kuamar Singh.
9. The Director of Rationing, Govt. of West Bengal, West Bengal namely Sri Sudhir Kumar Mukherji.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Apurva Kumar, Advocate
For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

6 27-06-2023 As pointed out by the office, the defect at flag 'A'

still remains. The defect be removed.



I.A. No. 01 of 2023:

The aforesaid interlocutory application has been filed for condoning the delay in filing the contempt petition.

The C.W.J.C. No. 601 of 2012 was disposed of on 3.4.2012 by a bench of this Court (Hon'ble Mr Justice Kishore Kumar Mandal, as he then was) and the concluding paragraph read as follows:-

"On hearing the parties and on perusal of the materials on record, it appears that there is no dispute amongst the parties with regard to payment of gratuity amount under the Act for the period the petitioner served in the FCI. Accordingly, the application is disposed of directing the authorities of the FCI, particularly the General Manager, FCI Regional Office, Patna, wrongly made as Senior Regional Manager, FCI to pay the gratuity amount as per the relevant Act along with statutory interest, if not already paid within a period of 06 weeks from the date of receipt/production of a copy of this



order".

Thereafter, the petitioner chose to file LPA No. 104 of 2014 and the same was dismissed and once again the concluding paragraph is incorporated hereinbelow:

"The Letters Patent Appeal is thus dismissed as withdrawn with the liberty aforesaid. However, grant of liberty shall not be considered as an expression of opinion on the merits of the case. As and when the appellant files review application, same shall be considered in accordance with law".

The petitioner later chose to file Civil Review No. 50 of 2018 and that too came to be dismissed on 9.1.2019.

Two years later, this MJC No. 484 of 2021 was filed.

This Court is not convinced with the ground taken in the limitation petition. The I.A. No. 01 of 2023 is dismissed.



MJC No. 484 of 2021:

In view of the fact that I.A. No. 01 of 2023 stands dismissed, the MJC No. 484 of 2021 also stands dismissed.

It goes without saying that the petitioner will have all the liberty to raise his grievance before an appropriate authority.

(Rajiv Roy, J)

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