

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19945 of 2014

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Ritesh Kumar son of Bipin Kumar, Manager Technical, Food Corporation of India, Regional Office, Patna, Setu Nagar, Anisabad, PS-Beur, Distr-Patna.

... .. Petitioner/s

Versus

1. The Food Corporation Of India through its Chairman, Headquarters, 16-20, Barakhamba Lane, New Delhi.
2. The Managing Director, Food Corporation of India, Headquarters, 16-20, Barakhamba Lane, New Delhi.
3. The Executive Directors Personnel, Food Corporation of India, Headquarters, 16-20, Barakhamba Lane, New Delhi
4. The General Manager Vig, Food Corporation of India, Headquarters, 16-20, Barakhamba Lane, New Delhi
5. The Deputy General Manager RPI, Food Corporation of India, Headquarters, 16-20, Barakhamba Lane, New Delhi
6. The Deputy General Manager Establishment, Food Corporation of India, Headquarters, 16-20, Barakham Lane, New Delhi
7. The General MANager FandA, Food Corporation of India, ZOE, Kolkata.
8. The Executive Director East, Food Corporation of India, Zonal Office, Kolkata.
9. The General Manager, Food Corporation of India, Regional Office, Patna.
10. The Assistant General Manager Personnel, Food Corporation of India, Regional Office Bihar, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Shantanu Kumar

For the Respondent/s : Mr.Prabhat Kumar Verma

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH

ORAL JUDGMENT

Date : 17-08-2023

The present writ petition has been filed seeking the following reliefs:-

“1(I). To issue a writ in the nature of writ of mandamus or any other appropriate



writ/order/direction commanding the Respondents to consider Petitioner's case for grant of regular promotion to the post of Assistant General Manager (QC) in the IDA scale of Rs. 20600-46500/- with effect from the date, since persons juniors to the Petitioner have been given benefit of such promotion.

(II) To issue a direction to the Respondents to consider Petitioner's case for grant of two special increments to which the Petitioner became entitled after completion of 3 (three) years of service as Manager in March' 2009 and after completion of 6 (six) years of service as Manager in March 2012, which have wrongly been denied to the Petitioner.

(III). To hold and declare that the Petitioner after having fully been exonerated from the Departmental Proceeding initiated against him on merits, is entitled as of right to be promoted to the post of Assistant General Manager (QC) with effect from the date, since persons juniors to him have been promoted as well as two special increments being admissible to the Petitioner after completion of 3 (three) years of service as Manager in March 2009 and after completion of 6 (six) years of service as Manager in March 2012.”

2. At the outset, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to approach the Managing Director, Food Corporation of India, New Delhi i.e. the



Respondent No. 2 for redressal of his aforesaid grievances, however, seeks a direction upon the Respondent No. 2, to also consider the guidelines, issued by the Ministry of Personnel, Public Grievances and Pensions, Department of Personnel and Training, Government of India, dated 14.9.1992, which has been given effect to by the Respondents, vide Notification dated 17.12.1992. Liberty, so sought, is granted.

3. It is needless to state that in case, appropriate representation is filed, annexing the guidelines and notifications sought be to relied upon by the petitioner, within a period of four weeks from today, before the Respondent No. 2, the Respondent No. 2 shall consider the same in accordance with law and pass a reasoned and a speaking order within a period of eight weeks, thereafter.

4. The present writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

Ajay/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	18.08.2023
Transmission Date	NA

