

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.23352 of 2012

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Chandeshwar Singh, S/O Late Dipchand Singh, Resident Of Village -
Khandal, P.S. - Sandesh, District - Bhojpur

... .. Petitioner/s

Versus

1. The Food Corporation Of India, having its Head Quarter at 16-20 Barakhambha Lane, New Delhi.
2. The Chairman, F.C.I Headquarter 16-20 Barakhambha Lane, New Delhi
3. The Managing Director, F.C.I. Headquarter 16-20 Barakhambha Lane, New Delhi
4. The Executive Director (East), Food Corporation Of India, 10-A, Middleton Row, Kolkata - 700071 (West Bengal).
5. The General Manager, Eastern Region, Food Corporation Of India, Arunachal Building, Exhibition Road, Patna – 800001.
6. The Assistant General Manager (Vigilance) Food Corporation of India, Arunachal Building, Exhibition Road, Patna – 800001.
7. The Area Manager, Food Corporation of India, Parmanand Niketan, North Church Road, Patna

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Santosh Kumar Verma, Advocate
For the Respondent/s : Mr. Prabhakar Tekriwal, Advocate

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

4 02-07-2024 Heard Mr. Santosh Kumar Verma, learned counsel

 appearing on behalf of the petitioner and Mr. Prabhakar Tekrial,

 learned counsel appearing on behalf of the respondent/s.

2. The petitioner in paragraph no. 01 of the present

writ petitioner has sought *inter alia* following relief(s), which is

being reproduced hereinafter:

“(i) For issuance of a writ of certiorari for quashing
of an order dated 25.08.2012 passed by the Executive Director
(East) [Respondent No. 5] in File No. VIG4(14)/2008/BIHR/551
contained in [As contained Annexure-3] by which the petitioner



has been imposed a major penalty of dismissal from service and recovery of 50% of total losses i.e. Rs. 14,50,206/- as sustained by the Food Corporation of India hereinafter referred to as “FCI”) from terminal dues and the balance un-recovered amount from the gratuity amount payable to the petitioner.

(ii) For quashing of Enquiry Report dated 29.12.2009 by the Assistant General Manager (Vigilance) [Respondent No. 7] by which the charges against the petitioner have been proved (as contained in Annexure 2).

(iii) For quashing of an order No. A&R/5 (16)/2012 dated 01.10.2012 (Annexure- 6) passed by the Appellate Authority (Respondent No.4).

(iv) For issuance of any other writ/writs order/orders direction/directions as your Lordship may deem fit and proper.”

3. Considering the fact that the petitioner has alternative remedy of review, as provided under Regulation 74 of the Food Corporation of India (Staff) Regulations, 1971, which has been enumerated in paragraph no. 5 of the counter affidavit, filed on behalf of the Respondent No. 8. The similar information is also contained in appellate order dated 01.10.2012 contained in ‘Annexure 6 to writ petition’, I find that the petitioner may avail efficacious remedy of review against the order impugned.

4. Accordingly, the present writ petitioner is disposed of.

(Purnendu Singh, J.)

Ashishsingh/-
saurabh-

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