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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(C) 1019/2016

ASHOK KUMAR & ORS

.....Petitioners

Through: None.

versus

FOOD CORPORATION OF INDIA & ORS

.....Respondents

Through: Mr. Purushottam Sharma Tripathi,
Mr. Ravi Chandra and Mr. Prakhar
Singh, Advocates for FCI.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

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18.02.2025

W.P.(C) 1019/2016 & CM APPL. 2281/2025 (Application on behalf of respondent Nos. 1 to 5 seeking disposal of the writ petition as infructuous)

1. The matter was passed over once, as the petitioners were unrepresented at first call. They remain unrepresented, even on second call.
2. On 15.01.2025, the following order was passed in CM APPL. 2281/2025:

“1. This application has been filed by respondents-Food Corporation of India [“FCI”], contending that the writ petition has been rendered infructuous as all the petitioners have retired from the service of FCI. It may be noted that the petition, which was filed in the year 2016, is directed against an office order, by which the labour groups, of which the petitioners were members, were merged and transferred from one depot to another.

2. Issue notice to the petitioners through learned counsel, who has

W.P.(C) 1019/2016

Page 1 of 2



filed the writ petition, on their behalf. Notice, in addition, be issued to petitioner No. 1 at the address mentioned in the memo of parties. It is not possible to issue notice to the other petitioners, as the addresses mentioned in the memo of parties are only their address at the FCI depot.

3. The petitioners may respond to this application within two weeks.

4. List the application, alongwith the writ petition, in the category of "For Admission" matters on 18.02.2025.

5. It is made clear that if the petitioners remain unrepresented, despite service of notice, the application may be taken up in their absence."

3. The Registry reports that petitioner No. 1 could not be served as his address was not found/found to be incomplete. The petitioners have, however, been served through counsel on 13.02.2025.

4. Mr. Purushottam Sharma Tripathi, learned counsel for respondent-Food Corporation of India, has handed over a tracking report to the Court, which shows delivery of notice to petitioner No. 1 on 08.02.2025. Mr. Tripathi further states that he has also spoken to learned counsel on record for the petitioners today, and informed her that the matter has been passed over today.

5. As there is no appearance on behalf of the petitioners, the contents of the application, as recorded in the order dated 15.01.2025, remain uncontroverted.

6. The writ petition is therefore disposed of, as infructuous, and for non-prosecution.

PRATEEK JALAN, J

FEBRUARY 18, 2025
SS/AD/