

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11813 of 2017

1. Ajay Kumar, son of Late Rajendra Sharma, Resident of village - Hulaschak P.S. Janipur District- Patna at presently posted as Category-IV (Workman) at Distt. Office, Gaya.
2. Shashi Shankar, son of Sri Akhileshwar Prasad Singh Resident of Mohalla- New Area Visar Talab P.S. - Civil Lines, Distt - Gaya at present posted as Category - IV (Workman) at Distt. - Office FCI Gaya.
3. Nagendra Kumar son of Sri Suraj Singh Resident of Village - Jinpura, P.S.- Bihta Distt. - Patna at present posted as Category- IV (Workman) at Patna.
4. Sri Kant Sharma son of Late Ganesh Singh Resident of Village - Chainpur P.S. Bella Distt- Gaya presently posted as Category -IV (Workman) at Distt. Office FCI Gaya.
5. Jitendra Sharma son of Dev Nath Sharma Resident of Village - Bearer, P.S.- Ranitalab, Distt.- Patna presently posted as Category-IV (Workman) at Regional Office FCI Patna.

... .. Petitioner/s

Versus

1. The Food Corporation of India through its Chairman 16-20 Barakhamba Lane, New Delhi.
2. The Zonal Manager Food Corporation of India 10 A Middleton Row Kolkata-71.
3. The Senior Regional Manager The Food Corporation of India, Arunachal Building Exhibition Road, Patna

... .. Respondent/s

Appearance :

For the Petitioners	:	Mr. Mukesh Kumar No-1, Advocate
For the F.C.I.	:	Mr. Shashi Dhar Jha, Advocate

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 05-02-2026 1. Heard learned counsel for the petitioners and
learned counsel for the Food Corporation of India.



2. The petitioners have filed the instant application for the following reliefs :-

“That this application is being filed for the issuance of writ in nature of Mandamus directing the respondents concern to promote the petitioners to the post of Asst. Grade-III & II (General Dept) in terms of special Instructions vide ED(P)’s Do Letter No.41 (9)/2000-OMISS dated 27.06.2000 as the petitioners have completed 12 years of services and full fill all criteria as contained in the aforesaid circular and juniors to the petitioners have all ready been promoted to the post of Asst. Grade-III(General Dept) & Asst. Grade-II (General Depot) during the year of 2003 & 2007.

For issuance of appropriate writ or writs, direction/directions to the respondents concern to pay entire monetary benefits in terms of promotions from the due date.

For issuance of any other writ/writs, order/orders, direction/directions for which the petitioners are legally entitled.”

3. An interlocutory application [I.A. no.1 of 2018 (8938 of 2018)] has been filed on behalf of the petitioners praying for amendment in the main writ application by deleting paragraph nos.4 to 13 therein and treating paragraph nos.2 to 15 of the interlocutory application as part of the main writ application.



4. Having heard learned counsel for the parties and having perused the contents of the writ petition as also the interlocutory application, the Court is not inclined to keep the writ application pending.

5. The writ application is disposed of directing the petitioners to file their individual/separate representations before the Zonal Manager, Food Corporation of India, 10 A Middleton Row, Kolkata-71 (respondent no.2) within a period of four weeks.

6. It may be observed here that the petitioners will be at liberty to raise all the points raised in the instant writ application as also those otherwise available to them including the Government instructions brought on record as Annexure-5 to the I. A. no.1 of 2018 (8938 of 2018) and the respondent authority shall take into consideration all the points in deciding the same.

7. In case such a representation is filed, the same shall be decided/disposed of by the respondent concerned within a period of two months from the date of its filing and consequential benefits found payable to the petitioners shall also be paid within the said period.

8. In case the representations of the petitioners do not



find favour with the respondent concerned, a reasoned order for the same shall be communicated to the petitioners within the aforesaid period.

9. The writ application stands disposed of.

(Partha Sarthy, J)

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