Serial No. 47

HIGH COURT OF JAMMU & KASHMIR AND LADAKH AT JAMMU

SWP No. 1423/2013
IA No. 2051/2013

Joginder Singh and ors. .....Appellant(s)/Petitioner(s)

Through: Mr. Abirash Sharma, Advocate.

vs

Food Corporation of India and ors. ..... Respondent(s)

Through: Mr. Kapil Sharma, Advocate.

CORAM: HON'BLE MR. JUSTICE WASIM SADIQ NARGAL, JUDGE

ORDER
30.07.2026

1. The petitioners, through the medium of the instant petition are seeking a direction against the respondents for grant of selection grade to the petitioners w.e.f. 01.05.1989 i.e. from the date, private respondent was placed in selection grade and for release all the consequential benefits including the monetary benefits in favour of the petitioners that has been granted in favour of private respondent.

2. The official respondents have filed response by way of a counter affidavit in which the respondents have taken a specific stand that upon the matter coming to the knowledge of the Corporation, that an erroneous grant of selection grade had been made in favour of the private respondent, a Committee was constituted by the Corporation to scrutinize the issue. Upon due examination of the relevant records, the Committee found that the said grant of selection grade was the result of a clerical mistake. Consequently, vide order

dated 05.02.2015, respondent No. 5 rectified the earlier order dated 18.06.1993 and directed that the said order be treated as null and void, thereby placing the private respondent at par with the petitioners. Thereafter, the pay of the private respondent was re-fixed vide order dated 06.03.2015. Thus, in the light of the stand taken by the official respondents i.e. Food Corporation of India and also in the light of the aforesaid development, the prayer of the petitioners cannot be acceded to as the petitioners were claiming parity on the basis of the relief granted to the private respondent, which relief has already been withdrawn.

3. In the light of the aforesaid development, Mr. Abirash Sharma, learned counsel for the petitioners fairly submits that he has instructions not to pursue the matter any further.

4. Accordingly, the writ petition, in the aforesaid backdrop, is dismissed having rendered infructuous. However, dismissal of the instant petition shall not come in the way of the petitioners to agitate their cause afresh, if fresh cause of action is accrued.

5. The instant petition is disposed of in the manner indicated above.

(Wasim Sadiq Nargal)
Judge

Jammu
30.07.2026
Tarun