

IN THE HIGH COURT OF JHARKHAND AT RANCHI

W.P.(L). No. 3969 of 2018

Food Corporation of India through its General Manager (Region) Sandeep Kumar
Pandey **...Petitioner**

-Versus

Krishna Bihari Mishra **...Respondent**

With

W.P.(L). No. 2123 of 2016

Food Corporation of India through Amresh Kumar, General Manager (Region)
Regional Officer, Patna (Bihar) **...Petitioner**

-Versus

Hans Raj Singh, Ex-Assistant General-II (Depot), Food Storage Depot, Katihar
presently residing at Chappra (Bihar) **...Respondent**

With

W.P.(L). No. 3336 of 2016

Food Corporation of India through its General Manager (Region), Shri Amaresh
Kumar **...Petitioner**

-Versus

Ajay Kumar Singh **...Respondent**

With

W.P. (L) No. 3965 of 2018

Food Corporation of India through its General Manager (Region), Sandeep Kumar
Pandey **...Petitioner**

-Versus

Motilal Ram **...Respondent**

With

W.P. (L) No. 3970 of 2018

Food Corporation of India through its General Manager (Region), Sandeep Kumar
Pandey **...Petitioner**

-Versus

Jagnarayan Singh **...Respondent**

CORAM: THE HON'BLE MR. JUSTICE DR. S.N.PATHAK

(Through: Video Conferencing)

For the Petitioners : Mr. Nipun Bakshi, Advocate (in All the cases)
For the Respondent : Mr. Manoj Kumar Sinha, Advocate { W.P.(L) No.3969/18}
For the Respondent : Mr. Rahul Kumar, Advocate {W.P.(L) No. 2123 of 2016}
For the Respondent : Mrs. M.M. Pal, Sr. Advocate {W.P.(L) No.3336 of 2016}
For the Respondent : Mr. Manoj Kumar Sinha, Advocate {W.P.(L) No.3965 of 2018}
For the Respondent : Mr. Manoj Kumar Sinha, Advocate {W.P.(L) No.3970 of 2018}

08/10.09.2020 In view of outbreak of COVID-19 pandemic, case has been taken up
through Video Conferencing. Concerned lawyers have no objection with regard to the
proceeding, which has been held through Video Conferencing today at 10:30 A.M.
onwards. They have no complaint in respect to the audio and video clarity and quality.

Mrs. M.M. Pan, learned Sr. counsel appearing on behalf of the respondent
in W.P.(L) No. 3336 of 2016 submits that already the issue has been considered and dealt

with in W.P.(L) No.2032 of 2014 (Annexure-7) by this Hon'ble Court and as such, the matter may be remanded back before the authorities for fresh consideration.

However, Mr. Nipun Bakshi, learned counsel for the petitioners opposes the contention of the learned Sr. counsel for the respondent and argues that issue has not yet been decided.

In all these writ petitions, common issues are involved. Main issue is to be decided "as to whether the Provision of Section 33 (2) (b) of the Industrial Disputes Act is applicable in case of dismissal, discharge or in case of other punishment or not ?

It appears that respondent in W.P. (L) No.2123 of 2016 has not filed counter-affidavit till date and as such, respondent is directed to file the same.

Put up these cases after four weeks' under the same heading.

Office is directed to reflect the name of Mr. Manoj Kumar Sinha, learned counsel for the respondent in W.P.(L) No.3969 of 2018.

(Dr. S.N. Pathak, J.)

punit/-