

**IN THE HIGH COURT OF JHARKHAND AT RANCHI**

**[Civil Writ Jurisdiction]  
W. P. (L) No. 4517 of 2018**

The Food Corporation of India ..... Petitioner(s)  
Versus  
Mishri Hembrom, Ex. Manager (Depot) .. ... Respondent(s)

.....  
**CORAM :HON'BLE MR. JUSTICE KAILASH PRASAD DEO  
(Through :-Video Conferencing)**

.....  
For the Petitioner(s) : Mr. Nipun Bakshi, Advocate.  
For the Respondent(s) :  
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**06 / 09.09.2021.** Heard, learned counsel for the petitioner- Mr. Nipun Bakshi.

After some argument, learned counsel for the petitioner- Mr. Nipun Bakshi has submitted that three persons have been dismissed in domestic inquiry, namely, S/ Sri Devendra Prasad Singh- Manager (D), Mishri Hembram-Manager (D) [respondent herein] and Kumar Madan Mohan, AG-I (D). It appears that Sri Devendra Prasad Singh has preferred Writ Petition before the Hon'ble High Court of Judicature at Patna whereas Mishri Hembram, Manager (D) and Kumar Madan Mohan, AG-I (D) have preferred Complaint Cases No.5/2013 and 01/2012 before the Central Government Industrial Tribunal No.1, Dhanbad,

Both the complaint petitions were allowed by the common Award dated 22.12.2017 passed by the Presiding Officer, cum Central Government Industrial Tribunal No.1, Dhanbad in Complaint Case No.01 /2012 and 5/2013.

The Food Corporation of India had earlier preferred W.P. (L) No.4549 of 2018 before this Court which was dismissed in terms of the order dated 27.03.2019 and against the same order, L.P.A. No.446 of 2019 has been preferred by The Food Corporation of India which is pending before this Court.

Learned counsel for the petitioner- Mr. Nipun Bakshi has further submitted that as per the case of the Food Corporation of India, this respondent [Mishri Hembrom] was not a workman as defined under Section 2(s) of the of the Industrial Disputes Act rather he was a Manager.

This Court has asked a clarification from learned counsel, Mr. Nipun Bakshi that what has happened to the Writ Petition filed by Devendra Prasad Singh, who was Manager (D) and dismissed in a domestic enquiry?

Learned counsel, Mr. Nipun Bakshi has submitted that matter may be adjourned to ascertain this fact and to assist this Court properly.

Considering the same, put up this case on 23.09.2021.

Sandeep/

**(Kailash Prasad Deo, J.)**