

IN THE SUPREME COURT OF INDIA
CRIMINAL ORIGINAL WRIT JURISDICTION
Writ Petition (Criminal) No.344/2020

J.S. DUGGAL & ORS.

PETITIONERS

VERSUS

FOOD CORPORATION OF INDIA & ORS.

RESPONDENTS

O R D E R

The present petition filed under Article 32 of the Constitution of India prays inter alia that complaints filed against the petitioners on same cause of action, as detailed in Annexure P-11, be consolidated and transferred to any Court having competent jurisdiction.

Annexure P-11 gives details of six criminal complaints filed at the instance of Food Corporation of India against the petitioners, i.e. Office bearers of the concerned Union of Workers as under:

"i. Criminal Complaint No.14 of 2020 filed on 16.05.2020 under Section 51 of Disaster Management Act before the Court of Chief Judicial Magistrate, Hisar, Haryana.

ii. Criminal Complaint No.840 of 2020 filed on 18.05.2020 under Section 51 of Disaster Management Act before the Court of Chief Judicial Magistrate, Banda, U.P.

iii. Criminal Complaint No.41 of 2020 filed on 30.05.2020 under Section 51 of Disaster Management Act before the Court of

Chief Judicial Magistrate, Ferozpur,
Punjab.

iv. Criminal Complaint No.641 of 2020
filed on 01.06.2020 under Section 51 of
Disaster Management Act before the Court of
Chief Judicial Magistrate, Gondia,
Maharashtra.

v. Criminal Complaint filed under Section
51 of Disaster Management Act before the
Court of Chief Judicial Magistrate, Satna,
M.P.

vi. Criminal Complaint No.14 of 2020
filed on 04.06.2020 under Section 51 of
Disaster Management Act before the Court of
Chief Judicial Magistrate, Imphal,
Manipur."

The principal submission advanced by Mr. Sukumar Pattjoshi, learned Senior Advocate appearing in support of the petition is that a draft complaint had emanated from the Head Office, on the basis of which these complaints were then filed at various places. It is also submitted that the complaints are identical in nature and are against the same individuals.

Since the basic assertions in all these complaints are identical, in our view, these complaints must eminently be consolidated and tried at one place.

We have been given to understand that the first complaint in terms of time, was Complaint No.14, 2020 which was filed at Hissar on 16.05.2020.

We, therefore, transfer complaints at Sl.Nos.2 to 6 as stated hereinabove to the Court of Chief Judicial Magistrate,

Hissar, Haryana to be consolidated with Complaint No. 14, 2020.

The narration of above facts is only for the purposes of dealing with this petition and we shall not be taken to have reflected on the merits of the matter, which shall be gone into independently at every stage.

With the aforesaid observations, this Writ Petition is allowed.

.....J.
[UDAY UMESH LALIT]

.....J.
[K.M. JOSEPH]

New Delhi;
February 15, 2021.

