

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.894 of 2009

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Anirudh Kumar Prasad son of late Chandreshwar Prasad and Smt. Indri Devi, resident of village-Gangti, PO-Maur, PS-Barbigha, District-Sheikhpura under State of Bihar.

.... Petitioner/s

Versus

1. The Union of India through Ministry of Defence, Government of India, South Block New Delhi.
2. Engineer-in-Chief Branch Integrated, H.Q. Kashmir House, D.H.O., P.O. New Delhi-1.
3. Chief Engineer, H.Q. Eastern Command, Fort William Kolkatta-21
4. The Commandant, Engineer Saman Depot, Engineer Stores Depot, Kakinara, P.O. E.S.D. (M) District 24 Parganas (North) West Bengal-743124.
5. The Administrative Office, Engineer Saman Depot. Engineer Stores Depot, Kakinara, P.O. E.S.D. (M), District 24 Parganas (North) West Bengal-743124.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Shankar Kumar
Mr. Ramchandra Singh
Mr. Mahendra Pd. Roy, Adv.
Mr. Jitendra Kr. Singh

For the Respondent/s : Mr. Ravindra Kr. Sharma, CGC

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

4 05-01-2015 Heard learned counsel for the petitioner and learned
counsel for the Union of India.

It appears that the father of the petitioner was serving as Store Keeper (Grade-II) in the Military Engineer Services and while returning from his native village, he met with an accident near Burdwan Railway Station and died on 3rd March 2005.

The petitioner has claimed for the compassionate appointment.

The father of the petitioner served as Store Keeper in Military Engineering Service in the State of West Bengal and also died at Burdwan which falls within the territorial jurisdiction of State of West Bengal.

As all cause of action had taken place within the State of West Bengal and no cause of action has taken place within the State of Bihar, in such view of the matter this Court is of the view that the present writ application is not maintainable on the ground of lack of territorial jurisdiction.

As the present matter relates to compassionate appointment, the petitioner is at liberty to take recourse in accordance with law before the appropriate authority.

With the above observation/direction, this petition is disposed of.

(Shivaji Pandey, J)

Mahesh/-

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