

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6362 of 2013

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Param Prakash Nand S/O Shri Braj Nandan Ravidas Resident Of Hansh Bhawan, Opposite
Shiv Mandir, Manpur, Kumhar Toli, P.O- Buniyadganj, Distt- Gaya (Bihar)

.... Petitioner/s

Versus

1. The Union Of India
2. The Regional Director (Central Region) Government Of Bihar India, Staff Selection Commission, 21-23, Lowther Road, Allahabad- 211002
3. Deputy Director, Government Of India, Staff Selection Commission, 21-23, Lowther Road, Allahabad- 211002

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Vindhya Keshri Kuar, Sr.Advocate.
For the Respondent/s : Mr. A.Singh,CGC

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

6 12-04-2016 (Heard the counsel for the petitioner and counsel
for the respondents.

In this case the petitioner is challenging the order dated 06.02.2013 issued by the Deputy Director, Staff Selection Commission, Allahabad. As it appears that an Advertisement was published by the Staff Selection Commission for the purpose of selection of S.I., A.S.I. and Intelligence Officer in different organizations as CPOs, C.I.S.F., B.S.F., N.C.B. etc. Narcotic Control Bureau Examination was held in 2011. The petitioner had appeared in the said examination and he was allotted Roll No.3206011374 and finally he was selected. He was working there. In the post verification it was found that the petitioner was involved in committing fraud and malpractice. Notice was issued by the Deputy Director, Staff Selection Commission, Allahabad. He had given reply and thereafter the impugned order was passed.

Counsel for the respondent has taken plea that this

Court has no jurisdiction to entertain this matter as the advertisement for selection of the aforesaid different posts was published within the territorial jurisdiction of Allahabad. The petitioner had appeared in the Examination at Allahabad and he was declared successful candidate by Staff Selection Commission, Allahabad. While he was working a show cause was issued by Allahabad and finally order was passed at Allahabad.

This issue with regard to jurisdiction is no longer res integra. It will be appropriate to place reliance on the Judgment in the case of Oil and Natural Gas Commission vrs. Utpal Kumar Basu and ors. reported in 1994 (4) S.C.C.711 there also in the similar type of facts, the Hon'ble Supreme Court has held that merely service of notice does not create territorial jurisdiction in such matter as no integral cause of action or part thereof has taken place.

Accordingly, the writ petition is dismissed with the liberty to the petitioner, if so advise, he may approach the Allahabad High Court.

(Shivaji Pandey, J)

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