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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(C) 2976/2016**

HAVILDAR ANIL PHAPALE S

..... Petitioner

Through: Major K. Ramesh (Retd.) with
Ms. Archana Ramesh, Advocates

versus

UNION OF INDIA & ORS

..... Respondents

Through: Ms. Barkha Babbar, Advocate

CORAM:

HON'BLE MS. JUSTICE HIMA KOHLI

HON'BLE MR. JUSTICE SUNIL GAUR

ORDER

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05.04.2016

1. The present petition has been listed by the Registry, subject to an office objection with regard to its maintainability on account of lack of territorial jurisdiction.
2. A perusal of the memo of parties reveals that the petitioner is presently posted at District Hissar, Haryana and his grievance is against the respondent No.3, who is the Office-in-Charge, Signal Records, based at Jabalpur, Madhya Pradesh, and has issued a letter dated 27.5.2014, asking for a place of posting at Devlali/ Nasik Road.
3. Learned counsel for the petitioner states that he may be permitted to withdraw the present petition, while reserving the right of the petitioner to approach the appropriate High Court vested with the territorial jurisdiction to entertain his petition.

4. Learned counsel for the respondents states that in any case, the present petition is premature for the reason that the petitioner has not approached the Commanding Officer with a request for being posted at the appropriate place which would have been placed before the competent authority, through proper channel. He assures the Court that if after following the said procedure, the petitioner does not get the relief and he approaches the Punjab & Haryana High Court for relief, the respondents shall not raise any objection with regard to the territorial jurisdiction before the said Court.

5. Leave as prayed for by the petitioner is granted and the writ petition is dismissed as withdrawn.

HIMA KOHLI, J

SUNIL GAUR, J

APRIL 05, 2016

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