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

+ **W.P.(C) 6205/2016**

PANKAJ SINGH BAJAD

..... Petitioner

Represented by: **Mr.Parmil Kumar, Advocate.**

versus

**THE COMMANDANT C.I.S.F. UNIT BCCL, DHANBAD,
JHARKHAND & ORS**

..... Respondents

Represented by: **Mr.Vikram Jetly, Advocate
with Mr.Jasvinder Singh,
Constable/CISF.**

CORAM:

HON'BLE MR. JUSTICE PRADEEP NANDRAJOG

HON'BLE MS. JUSTICE PRATIBHA RANI

ORDER

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20.07.2016

CM No.25411/2016

Allowed subject to all just exceptions.

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1. As learned counsel for the petitioner proceeded to argue the writ petition a complete disconnect between what learned counsel for the petitioner sought to argue and what has been pleaded emerges.
2. The indictment is for negligence. The petitioner concedes that during the period when he alongwith a few others were on guard at the building in question in Dhanbad, lock of the main gate was found broken. Within the precincts of the building five locks were broken.
3. The petitioner has also not lay a challenge to the revisional order

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which was passed by the authority in Patna.

4. The indictment took place in Jharkhand. The inquiry was held in Jharkhand. The order levying penalty as well the appellate order were passed by the authorities at Jharkhand. Revisional order is by the authority in Patna. This Court would not have territorial jurisdiction.

5. Accordingly learned counsel for the petitioner seeks leave to withdraw the writ petition with right reserved to file a fresh petition either before the Patna High Court or the Jharkhand High Court, which two Courts would have territorial jurisdiction.

6. Needless to state, since the instant writ petition is being rejected for want of territorial jurisdiction the petitioner would be entitled to avail remedy before the Court having territorial jurisdiction. The petition is rejected.

7. No costs.

PRADEEP NANDRAJOG, J.

PRATIBHA RANI, J.

JULY 20, 2016

'st'