

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

+ **W.P.(C) No. 9879/2016**

% **30th November, 2016**

SATISH KUMAR GUPTA Petitioner

In person.

versus

UNION OF INDIA AND ANR Respondents

Through: Ms. Sangita Rai, Advocate.

CORAM:
HON'BLE MR. JUSTICE VALMIKI J. MEHTA

To be referred to the Reporter or not?

VALMIKI J. MEHTA, J (ORAL)

1. Counsel does not appear for the petitioner, though petitioner is present in person. An adjournment is sought on behalf of the petitioner on the ground of illness of counsel for the petitioner, and which adjournment is opposed on behalf of the respondents stating that adjournment was sought on behalf of the petitioner by informing her of the difficulty of petitioner's counsel but not of the illness of counsel for the petitioner.

2. In the opinion of this Court, the request for adjournment is not justified and probably is an act of strategy to get the case adjourned in view

of what is noted in the last order dated 25.11.2016 as regards the lack of territorial jurisdiction of this Court and which reads as under:-

“Ordinarily I would have dismissed this petition on account of lack of territorial jurisdiction of this Court, and a judgment in this regard has already been passed by this Court in the case of ***Noida Mint Employees Union & Ors. Vs. Union of India and Ors.*** in W.P.(C) No.3617/2014 decided on 2.2.2015, but since counsel for the petitioner is stated to be not well, list on 30th November, 2016. It is made clear that no adjournment shall be granted on the next date of hearing.

2. Petitioner is an employee of India Government Mint working at Noida in Uttar Pradesh. Service benefits, therefore, claimed by the petitioner vide this writ petition is with respect to services rendered to the employer not within the territorial jurisdiction of this Court, but within the territorial jurisdiction of the competent court in Uttar Pradesh. In cases of employees of India Government Mint situated in Noida in W.P. (C) 3617/2014, as noted in the order dated 25.11.2016, it has been held that this Court does not have territorial jurisdiction.

3. The impugned order which is challenged in this writ petition is dated 16.8.2016 and the same has been issued by the office of India Government Mint at Noida in Uttar Pradesh.

3. Adopting the ratio of the decision in the case of ***Noida Mint Employees Union and Ors. Vs. Union of India and Ors.***, in W.P. (C)

3617/2014 decided on 2.2.2015, this writ petition is dismissed on account of lack of territorial jurisdiction of this Court. Petitioner is however always at liberty to approach the competent Court of territorial jurisdiction including the High Court of Allahabad.

VALMIKI J. MEHTA, J

NOVEMBER 30, 2016

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