

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7423 of 2017

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1. Force No. 801260665, A.S.I., G. O. Harish Chandra Singh, son of Late Ram Kisan Singh, Resident of Village- Balahapur, P.O. Balahapur, P.S. Nayagaon, District Begusarai, Bihar, at Present Posted under Commandant 21 Battalion, CRPF, Metro Hotel, Srinagar (J & K).

.... Petitioner/s

Versus

1. Union of India
2. Ministry of Personal, Public Grievances & Pension (Deptt. of Personal and TRG), Govt. of India.
3. Directorate General Central Reserve Police Force, Pay and Account Office, New Delhi.
4. Deputy Director General of Police, Group Centre, CRPF, Imphal Manipur.
5. Deputy Director General of Police, Group Centre, CRPF, Mokamaghat, Bihar.
6. Commandant 69 Battalion, CRPF, Imphal, Manipur.
7. Commandant, 21, BN, CRPF, Metro Hotel, Srinagar (J & K).

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Yogendra Kumar Singh, Adv.
Mr. Ratneshwar Prasad, Adv.
For the Respondent/s : Mr. S.D Sanjay (Addl. Soc. Gen.)
Mr. R.K. Sharma, CGC

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

2 11-07-2017 While the order of recovery has been passed by the Deputy Inspector General of Police, Group Centre, Central Reserve Police Force, Imphal, in the State of Manipur, it is admitted by Mr. Yogendra Kumar Singh, learned counsel for the petitioner that the petitioner is posted in the State of Jammu and Kashmir. According to the learned counsel, since the Headquarters of the Police Force is situated at Mokama hence a cause of action has arisen to him to maintain this writ petition before this Court.



In my opinion the view held by the petitioner to maintain the writ petition in this court is misconceived because no part of cause of action has taken place in the State of Bihar. Even if the petitioner happens to be a resident of State of Bihar and even if the headquarters of the force is in Mokama but considering that, while the recovery order impugned at Annexure-3 was issued at Manipur, it has taken its effect where the petitioner is presently posted, i.e Jammu and Kashmir. Thus no part of cause of action having taken place in the State of Bihar, this writ petition is accordingly disposed of with liberty to the petitioner to move the appropriate forum, if so advised.

(Jyoti Saran, J)

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