

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.12720 of 2017

Date of Decision: 1.06.2017

Shinder Singh

... Petitioner

Versus

Union of India & ors.

... Respondents

CORAM:- HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present: Mr. Pawan Kumar Sharma, Advocate,
for the petitioner.

RAJIV NARAIN RAINA, J.(Oral)

Admittedly, the petitioner serves as a Driver of a vehicle in the Indo Tibetan Border Police at Reckong Peo, District Headquarters Kinnaur in Himachal Pradesh. He approaches this Court against the order transferring him from Reckong Peo to destination in the State of Andhra Pradesh. He has arrayed respondents No.2 and 5 being the Inspector General (North West Frontier) ITBP, MHA, Village Behlana, Chandigarh while serving under the Commandant TPT Bn. ITB Police, MHA in the same village at Chandigarh.

The North West Frontier in the ITBP consists of more than one State, which includes Jammu & Kashmir, Himachal Pradesh, Punjab, Haryana and Chandigarh. Merely because respondents No.2 & 5 have been named as respondents would not lend territorial jurisdiction on this Court since the impugned order has been passed in New Delhi.

These factors indicate conclusively that this Court has no territorial jurisdiction over the subject matter and the petitioner would have to approach the proper forum with jurisdiction over the subject matter.

The petition is accordingly dismissed at the threshold on point of maintainability and for want of territorial jurisdiction to entertain the petition.

1.06.2017
monika

(RAJIV NARAIN RAINA)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes</i>
<i>Whether reportable</i>	<i>No</i>