

**IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH**

CWP-7266-2017

Date of Decision:- April 07, 2017

KIP SINGH

.....Petitioner

VS

UNION OF INDIA AND ORS

.....Respondents

CORAM: HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present: Mr. Rajeev Anand, Advocate,
for the petitioner.

RAJIV NARAIN RAINA, J.

Dismissed as withdrawn with liberty to file a fresh one on the same cause of action or any other cause of action incidentally and ancillary with the main cause of action. Neither does the cause of action in whole or in part arises within the jurisdiction of this Court in a case involving absorption. The petitioner had earlier approached the Jammu & Kashmir High Court with the same prayer which was decided on 14.02.2017, directing the respondent-BSF to pass a speaking order on the petitioner's representation for absorption in the legal branch of the BSF, by reason of long service via deputation as per eligibility and recommendations in his favour which brought him from general duty to the legal branch.

The direction of the J&K High Court has been obeyed and speaking order has been passed by the competent authority in New Delhi which is attached as Annexure P-20 dated March 10, 2017. As the impugned order has been passed in New Delhi and the cause of action substantially arises there, the petitioner is relegated to his remedy available in the territorial jurisdiction of Delhi.

With this observation, the petition is disposed of in passing this order, this Court has not examined the merits of the present petition.

Ordered accordingly.

**(RAJIV NARAIN RAINA)
JUDGE**

07.04.2017

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