

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

CWP No.9496 of 2017 (O&M)

Date of decision: 04.05.2017

Sanjeev Kumar

.... Petitioner

VS

Union of India and others

.... Respondents

CORAM: HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present: Mr. Nilesh Bhardwaj, Advocate
for the petitioner.

RAJIV NARAIN RAINA, J. (ORAL)

This Court has no territorial jurisdiction to entertain this joint petition since neither the whole nor any part of the cause of action arises within its territory.

Challenge in this writ petition is to the impugned order dated 03.09.2013 and consequential orders passed leading to the petitioner's discharge from service as a Constable enlisted in CRPF. All the bundle of facts and transactions completed leading to the order of dismissal and communication thereof has taken place in Lucknow in Uttar Pradesh. Therefore, neither the cause of action in whole or in part, arises within the territorial jurisdiction of this Court to confer jurisdiction to entertain this petition and opine on the merits of the case. Mere residence in Haryana of the petitioner and not the defendant does not confer jurisdiction on this Court to entertain the petition. It is not disputed that the charge-sheet was issued in Lucknow against the adverse order of discharge/removal. The

inquiry was conducted in Uttar Pradesh, the order of dismissal was passed in Luckhnow and even served there upon the petitioner while posted there. The petitioner being resident of Haryana would not empower this Court to hear the matter for want of territorial jurisdiction.

Accordingly, the present petition is returned as not maintainable for want of territorial jurisdiction with the liberty to the petitioner to approach the appropriate and proper forum.

(RAJIV NARAIN RAINA)
JUDGE

04.05.2017

sonia

<i>1. Whether speaking/non-speaking?</i>	<i>Yes</i>
<i>2. Whether reportable/non-reportable</i>	<i>No</i>