IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13282 of 2017

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Ritesh Kumar Ranjan, Son of Late Chaliter Choudhary, Resident of Village-Salempur Suturkhana, Post Office-Bank, Police Station- Muffasil, District-Munger.

... ... Petitioner

Versus

1. The Union of India through the Ministry of Home Affairs, North Block, New Delhi.-110001.
2. The Inspector General, Central Industrial Security Force, NISA, Hydrabad.
3. Assistant Inspector General, R & S, CISF Headquarter, New Delhi.
4. Deputy Inspector General, CISF, RTC, Deoli, District Tonk (Rajasthan).
5. Sr. Commandant, Administration, Central Industrial Security Force, RTC, Deoli, Tonk-304804 (Rajasthan).

... ... Respondents

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Appearance :
For the Petitioner/s : Mr. Manoj Kumar Singh, Advocate
For the Respondent/s : Smt. Kanak Verma, C.G.C.

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL ORDER

3 03-12-2018 Heard learned counsel for the petitioner and learned counsel for the State.

2. In the present case, the petitioner is challenging the order containing memo no.9182 dated 28.06.2017, by which the petitioner has been terminated from the service on account of suppression of fact with regard to his involvement in a criminal case for the offence under Sections 302, 376, 511, 448, 341 and 504/34 of the Indian Penal Code.

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3. Learned counsel for the Union of India has taken a stand that the present petition is not maintainable on the ground of territorial jurisdiction as all cause of action and part thereof has taken place in the State of Rajasthan, so the Rajasthan High Court has jurisdiction to entertain and decide the case of the petitioner.

4. The petitioner has taken a plea that he is resident of Bihar, on that account he has right to pursue the remedy before this Court.

5. The law is very much clear on this line that mere residence of a person will not create a cause of action or part thereof and the writ will not be entertained on that score, but has to be satisfied about the cause of action and nowhere it has been stated that any cause of action has taken place in the State of Bihar. Reference can be made to the decision rendered in the case of ***Oil and Natural Gas Commission vs. Utpal Kumar Basu*** reported in ***1994(4) SCC 711.***

6. Learned counsel for the petitioner seeks permission to withdraw this petition with a view to pursue his remedy before the appropriate Court.

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7. Permission, as prayed for, is granted. Accordingly this writ petition is dismissed as withdrawn with the liberty to the petitioner to pursue his remedy before the appropriate High Court of appropriate territorial jurisdiction.

(Shivaji Pandey, J)

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