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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(C) 5827/2018 & C.M. Nos.22653-22654/2018**

RAJIV RANJAN KUMAR Petitioner

Through Mr.Sajeet Kumar Mishra, Adv. with
Mr.Abhishek Parmar, Adv.

versus

DIRECTORATE GENERAL OF TRAINING AND ANR. Respondent

Through Ms.Shiva Lakshmi, Adv. with
Mr.Ruchir Ranjan Rai, Adv. for R-1/DGT.

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

ORDER

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28.05.2018

Vide the present petition, the petitioner has impugned the order dated 27th April, 2018, passed by the respondent no.2/State of Bihar whereby respondent no.2 had come to a categoric conclusion that the petitioner, despite having been relieved from the responsibility of Unique Private I.T.I. Safiyabad, Jamalpur Muger on 12th February, 2016, had not only suppressed the above facts from this Court while filing W.P.(C)No.1765/2018, on behalf of Unique Private ITI, Safiyabad, Jamalpur Muger but had also without any authority changed the email I.D. and password under the portal of the NCVT MIS (DGT).

Based on the aforesaid conclusion arrived at by the Government of Bihar, the respondent no.1 has also come to a conclusion that the petitioner is an unauthorised person and, therefore, the e-mail ID could not be restored to at his instance.

Learned counsel for the petitioner, vehemently, contends that the order passed by the Government of Bihar has been passed on the

basis of forged and fabricated documents handed over by unauthorised persons and, therefore, contends that the same is wholly unsustainable.

On the other hand, Ms.Shiva Lakshmi, who appears on advance notice, vehemently opposes the petition and submits that this Court does not have territorial jurisdiction. She submits that the basic order impugned in the present petition has been passed at Patna and the same is not amenable to jurisdiction of this Court.

Having considered the submissions of learned counsel for the parties, I am of the considered view that once the State of Bihar has vide its order passed in Patna, come to a categoric conclusion that the petitioner is an unauthorised person, the same ought to be challenged in an appropriate Court having territorial jurisdiction to examine the legality of the order passed at Patna. Even otherwise the cause of action for filing the present petition has also arisen in Patna and merely because the impugned memorandum has been issued by respondent no.1 at Delhi, it does not entitle the petitioner to invoke jurisdiction of this Court. I also find that the impugned memorandum dated 02.05.2018 issued by respondent no.1 is based only on the findings arrived at by respondent no.2 in its impugned order dated 27.04.2018 and, therefore, it is the order dated 27.04.2018 passed at Patna by which the petitioner is mainly aggrieved.

For the aforesaid reason, I accept the objection taken by learned counsel with regard to the maintainability of the present petition before this Court on the ground of territorial jurisdiction.

Consequently, the writ petition is dismissed with liberty to

approach the Court of competent jurisdiction.

MAY 28, 2018/aa

REKHA PALLI, J