

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5890 of 2015

Binod Kumar Singh S/o-Late Rajendra Prasad Singh, R/O- At and P.O.-
Digha Ghat, P.S.- Digha, District- Patna Petitioner
Versus

1. The Union Of India through the Secretary, home Department, New Delhi
2. The Inspector General, Central Industrial Security Force, CISF Campus, Saket, P.O.- Malviya Nagar, New Delhi
3. The Deputy Inspector General, Central Industrial Security Force, North Reason-2 Headquarter, B729, GTB Nagar, Allahbad (UP)
4. The Senior Commandant, Central Industrial Security Force, SSTPS, Sakti Nagar Unit, Post- Sakti Nagar, District Sonbhadra Uttar Pradesh
5. Mr. Ravi Bhusan Bagaria, S/o- Not known, the then Assistant Commandant, Fire Central Industrial Security Force Unit, Sakti Na Nagar, SSTPS Sakti Nagar Unit, PO Sakti Nagar, District Sonbhadra, Uttar Pradesh at preset posted as Assistant Commandant, Fire, NALCO Angul, District Angul, Orissa

... .. Respondents

Appearance :

For the Petitioner : Mr. Rajeev Kumar Singh, Advocate
Mr. Priyadarshni Matry Sharan, Advocate
For the Union of India : Mr. Rajesh Kumar Verma, CGC

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 05-03-2019 Heard learned counsel for the petitioner as well as
learned counsel for the Union of India.

When the matter is called out, learned counsel for the Union of India has taken a preliminary objection regarding maintainability of the instant proceedings within the territorial jurisdiction of this Court since order of compulsory retirement and the appellate order were passed by the competent authorities beyond the territorial jurisdiction of this Court and communicated to the petitioner at his residence outside the territorial jurisdiction of this Court. It is only on the basis of communication of order passed by the revisional authority dated 5.11.2014 at the address of the petitioner within the jurisdiction



of this Court, this writ petition has been filed.

Faced with such objection of maintainability, learned counsel for the petitioner submits that the petitioner would be approaching the Court of competent territorial jurisdiction so that he may assail the order impugned in the instant proceedings and that time spent in the instant proceedings may not be taken against him as delay.

As the petitioner's counsel seeks liberty to avail off the remedy before the competent court having territorial jurisdiction for redressal of the issues raised in the instant writ petition, this Court cannot express any opinion on the aforesaid submission made by petitioner's counsel regarding delay. Petitioner would be at liberty to raise this issue before the competent Court having the territorial jurisdiction while availing of the liberty to move afresh, granted in the instant proceeding.

Writ petition is disposed of.

(Madhuresh Prasad, J)

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