

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.629 of 2017

=====

Shashi Kant Jha, S/o Sri Shambhunath Jha, R/o Pratappur, P.S. Karza, District
- Muzaffarpur (Bihar)

... .. Petitioner/s

Versus

1. The Union of India through the Home Secretary, Ministry of Home, Govt. of India
2. The Director, General, Border Security Force, Govt. of India
3. The Inspector - or General, Border Security Force, Siliguri, West Bengal
4. The D.I.G. Border Security Force, Siliguri, West Bengal
5. The Commandant 41, Batallion, Bangaldesh Border, Raiganj, West Bengal

... .. Respondent/s

=====

Appearance :

For the Petitioner : Mr. Sri Niwas Jha, Advocate.
For the Respondents : Mr. S.D Sanjay (Addl. Soc. Gen.)
Mr. Kumar Priya Ranjan CGC

=====

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL JUDGMENT

Date : 08-01-2019

Heard learned counsel for the petitioner and the State.

2. The petitioner, by the present petition has challenged the order passed by the BSF authorities whereby he has been punished with a "reprimand" for having committed irregularities in discharge of his official duty while posted in UN Peace Keeping Mission at Haiti.

3. From the perusal of the records, it appears that the offence has been committed in Haiti. The proceeding was initiated in Haiti and the second representation was disposed of in Delhi. The petitioner at present is posted in West Bengal and no part of any proceeding ever took place in the State of Bihar.



4. Thus, in view of the judgments rendered by the Supreme Court in case of **M/s Patel Roadways Ltd. Bombay Vs. M/s Prasad Trading Company** reported in **AIR 1992 SC 1514** and other cases on the same lines, this Court would have no jurisdiction to entertain the present petition.

5. The petition is being dismissed for lack of territorial jurisdiction.

6. Should the petitioner so deem it expedient, he may approach the competent forum for redressal of his grievances.

(Ashutosh Kumar, J)

krishna/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	09.01.2019
Transmission Date	

