

05.10.2020
Item No.24
Ct. No.10
Kaushik/CHC

**W.P.A.7026 of 2020
CAN 1 of 2020
(Via Video Conference)**

**Ct. (G.D.) Bidhan Chandra Mandal
Vs.
Union of India & ors.**

Mr. Sandip Kumar Bhattacharyya,
Mr. Soumik Ganguly
... for the petitioner

Ms. Chandreyi Alam,
Ms. Runu Mukherjee
... for the Union of India

The question here is as to invoking the territorial jurisdiction of this Court.

In short the case is that the petitioner was a CISF personnel in Angul against whom a disciplinary proceeding was initiated by his superior authority and ultimately on completion of the said disciplinary proceeding the petitioner has been dismissed. He preferred an appeal also against the order of dismissal which has already been rejected by an authority outside the jurisdiction of this Court. In this writ application the petitioner has challenged his dismissal.

A preliminary point has been raised by the respondents that this Court does not have territorial jurisdiction as the entire thing happened outside

territorial jurisdiction of this Court i.e. Angul in the State of Odisha.

Learned advocate for the petitioner placed two judgements reported in **(2018) 10 Supreme Court Cases 312 paragraphs 36 to 38** and **1959 SCC online US SC 87** at paragraph 16 to support his contention as has been pleaded in the writ application that the petitioner is of a scheduled castes community which is a state specific subject matter and for this reason a writ petition is to be filed in this Court because of this State specific subject matter and this Court has jurisdiction to pass the necessary order on merit.

After considering the pleading and considering the submissions of the parties, I find that two judgements placed before this Court is in respect of employment and not in respect of what will happen after the dismissal order is passed by the disciplinary authority and what will happen after appeal therefrom is dismissed by the appellate authority.

I do not find that two judgements support the petitioner in any manner and hence the writ application is dismissed. However, the petitioner shall not have any impediment to ventilating his grievance before the appropriate authority.

(Abhijit Gangopadhyay, J.)

