

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3033 of 2021

Md. Firoz Khan Son of Late Aziz Khan, Resident of Village Patunka, Police Station- Nanpur, District - Sitamarhi now he was constable 60, 143, Battalion, Rani Nagar, Jalpaiguri, West Bengal.

... .. Petitioner/s

Versus

1. The Union of India through Secretary, Home Ministry, New Delhi.
2. The Director, General, Boarder Security Force, Lodi Road, New Delhi.
3. The Inspector General, Border Security Force, Patna, Bihar.
4. The Deputy Inspector General, Border Security Force, Patna, Bihar.
5. Commandant, 94 BN, Kalyani Nadiya, West Bengal.
6. Dr. Anil Kumar Barnwal, Chief Medical Officer, 25 Battalion, B.S.F. Chawala, New Delhi- 110071.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Mazharul Hassan, Advocate
For the Respondent/s	:	Mr. Dr. K. N. Singh (ASG)
		Mr. Tuhin Shankar, CGC

CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
ORAL JUDGMENT

Date : 01-12-2021

Heard learned counsels for respective parties.

In the instant petition, petitioner has prayed for the following reliefs:-

“For issuance of writ/writs, order/orders in the nature of mandamus for directing and commanding the Respondents to give permission for training to the petitioner in Border Security Force as the petitioner joined the service as Constable (G.D.) on the basis of compassionate ground on 07.10.2018. Petitioner was in training from 13th July, 2020 in the meantime he was ill thereafter when petitioner feet fit he himself got OPD SIP, BSF Hospital thereafter Doctor of B.S.F. Hospital referred the petitioner to Safdar Jang Hospital



for check up. Doctor of Safdar Jung Hospital, New Delhi checked and reported that petitioner is fit for duty and training but after reporting of Safdar Jung Hospital, New Delhi Doctor of O.P.D. Slip, BSF Hospital is reported as he is not in possession of and the period of training is passed out on 06.06.2021 and petitioner got irreparable loss for laches of Respondent No. 6 Report as Annexure-1. For that petitioner is medically boarded out for training.”

Place of working of the petitioner is 143 Batalion Rani Nagar, Jalpaiguri, West Bengal. Petitioner is merely resident of village-Patunka, Police Station-Nanpur, District-Sitamarhi, the present petition cannot be entertained. He has a remedy either at place of working or at Delhi as the Head of the Department-respondent is at New Delhi. Therefore, the present petition is not maintainable for want of territorial jurisdiction.

Accordingly, the present petition stands dismissed reserving liberty to the petitioner to approach territorial jurisdiction Court.

(P. B. Bajanthri, J)

Vikash/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	
Transmission Date	N/A

