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

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Judgment delivered on: 26.08.2021

+ W.P.(C) 9089/2021 & CM APPL.28284/2021

GEETA SINHA

..... Petitioner

versus

UNION OF INDIA & ANR.

..... Respondents

Advocates who appeared in this case:

For the Petitioner: Mr. Vijay Kumar Shukla and Ms. Nupur Shukla,
Advocates.

For the Respondent: Mr. Jagjit Singh, Senior Counsel for Railways with
Mr. Preet Singh and Mr. Vipin Chaudhary,
Advocates.

CORAM:-

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

JUDGMENT

SANJEEV SACHDEVA, J. (ORAL)

1. The hearing was conducted through video conferencing.
2. Petitioner impugns letter dated 02.02.2021 issued by the Senior Divisional Commercial Manager, Danapur, Patna.
3. Learned counsel for the petitioner submits that since the appointing authority of the Senior Divisional Commercial Manager is the Railway Board and Railway Board is situated in Delhi, this Court would have the territorial jurisdiction to entertain the petition.

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W.P(C) 9089/2021

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4. He further submits that in similar circumstances the Supreme Court of India has entertained several writ petitions and passed orders granting benefit to various license holders across the country.

5. I am unable to accept the contention of learned counsel for the petitioner in as much as merely because the Railway Board which is the appointing authority of the officer who has passed the impugned order is situated in Delhi would not confer jurisdiction on this Court especially when neither the authority whose order is impugned is situated in Delhi nor any part of cause of action has arisen in Delhi.

6. The factum of Supreme Court entertaining Writ Petitions of several vendors situated across the country would also not confer jurisdiction on this court.

7. The Senior Divisional Commercial Manager, whose order is impugned does not have a seat in Delhi and no part of the cause of action has arisen in Delhi.

8. Further the contention that a 2010 policy has been issued by the Railway Board and petitioner is seeking benefit under the policy also does not further the case of the petitioner in as much as petitioner is not aggrieved by any action of the Railway Board rather seeks implementation of the policy by the concerned authority which is situated at Danapur, Patna.

9. In view of the above, it is held that this petition would not lie before this court. Petitioner would have to avail of her remedies in an appropriate court having jurisdiction.

10. The petition is accordingly dismissed.

11. Copy of the Order be uploaded on the High Court website and be also forwarded to learned counsels through email.

AUGUST 26, 2021/rk

SANJEEV SACHDEVA, J.

