

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8149 of 2010

=====

Shiv Shankar Jha S/O Late Satan Jiv Jha R/O Vill.- Mahatha, P.S.- Ladaniya,
Distt.- Madhubani

... .. Petitioner/s

Versus

1. The Union Of India
2. The Inspector General, Frontier Headquarter, Shasatra Seema Bal, H/No. 345, Nikita Complex, G.S.Roa
3. The Deputy Inspector General, Sector Headquarter, Shasatra Seema Bal, Bongaigaon
4. Commandant 10th Bn Malbazar, Shasatra Seema Bal, Distt.- Jalpaiguri Wb

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr.Gagan Deo Yadav
For the Respondent/s : Mr.N.A. Shamsi Asgi

=====

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

Date : 25-07-2022

Heard learned counsels for the parties.

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

i. For issuance of writ in the nature of Certiorari for quashing of order no. 10012-18 dated 27.04.07 by which the petitioner has been awarded punishment and penalty of Removal from government service w.e.f. 26.4.07 by respondent no. 4, the Commandant of Shasatra Seema Bal (SSB), 10th Bn. Malbazar.

ii. For issuance of writ in the nature of Certiorari for quashing of order of appeal passed by Deputy Inspector General of the force (respondent no.3) contained in order no. 523-25 dated 13.01.09 by which appeal



preferred by the petitioner has been dismissed and order of removal from service of the petitioner has been confirmed.

iii. For issuance of writ in the nature of Certiorari for quashing of order of revision passed by the Inspector General (respondent no. 2) contained in order no. 19211-13 dated 27.07.09 by which revision petition filed by the petitioner has been rejected affirming the order of removal and order of appeal passed by Dy. I.G.

iv. For a direction in the nature of writ of Mandamus upon the respondents to reinstate the petitioner in service on the post of constable with entire consequential monetary benefits.

v. And/or pass such other order/directions to which the petitioner is entitled in the facts and circumstances of this case.”

3. Impugned orders were issued by the authorities who were sitting in different State other than the State of Bihar. This Court in identical matter rejected the petition on the issue of territorial jurisdiction, namely, C.W.J.C. No. 11139 of 2018.

4. In the light of the aforesaid decision, the present petition stands disposed of reserving liberty to invoke appropriate territorial jurisdiction forum. In the event of invoking territorial jurisdiction Court, the jurisdictional forum is requested to take note of Section 14 of the Limitation Act so as to condone the delay in entertaining the petition to be filed by the petitioner.



5. With the above observations, the present petition
stands disposed of.

(P. B. Bajanthri, J)

rakhi/-

AFR/NAFR	
CAV DATE	
Uploading Date	29.07.2022
Transmission Date	

