

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

213

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IN VIRTUAL COURT

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**CWP No. 18134 of 2017
Date of decision : 22.3.2022**

Abhishek Yadav

.....Petitioner

Vs.

Bharat Electronics Limited and others

.....Respondents

Coram: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present : Mr. J.P. Sharma, Advocate, for the petitioner

Mr. Pawan Kumar Mutneja, Advocate, for the respondents

Rajbir Sehrawat, J. (Oral)

This is a petition filed under Articles 226/227 of the Constitution of India seeking issuance of a writ of mandamus, directing the respondents to appoint the petitioner as Probationary Engineers (PE) in the Electronics Stream being in the merit and eligible and entitled for the appointment having procured total 58.25 marks out of 100 marks in written test and interview, whereas, the last selected candidate procured total 57.60 marks out of 100 marks in OBC Category

At the outset, counsel for the respondents has submitted that regarding the same examination, as involved in the present petition, the Rajasthan High Court and Calcutta High Court have held that they did not have the territorial jurisdiction to entertain the petitions because no part of the process of selection had taken place in their respective jurisdictions. The same is applicable to the present case as well. It is submitted that the posts were

advertised by Bharat Electronics Limited, Bengaluru. The written test for the same was conducted at New Delhi and the interview was conducted at Ghaziabad. Therefore, no part of the process had taken place within the jurisdiction of this Court as well. Accordingly, it is submitted that the writ petition is not maintainable for lack of territorial jurisdiction.

This Court finds substance in the argument of counsel for the respondents. Since no part of cause of action has arisen within the territorial jurisdiction of this High Court, therefore, this Court does not find it appropriate to interfere in the matter. Hence, the petition is dismissed as not entertained.

However, the petitioner would be at liberty to avail his alternate remedy before an appropriate Court having territorial jurisdiction over the aspect.

(RAJBIR SEHRAWAT)
JUDGE

22.3.2022

Ashwani

Speaking/Reasoned	:	Yes/No
Reportable	:	Yes/No