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

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Date of decision: March 08, 2022

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LPA 89/2022, CM. APPL.6334/2022 & 8350-51/2022

KUMAR GAURAV & ORS.

.... Appellants

Through: Mr. Manish Bishnoi, Ms. Sunieta
Ojha and Ms. Pallavi, Advocates.

versus

UNION OF INDIA & ORS.

.... Respondents*

Through: Mr. Ripu Daman Bhardwaj, CGSC
for Respondent No.1/CGSC
Mr. Kamal Mehta, Advocate for
Respondent No.2/LIC of India**CORAM:****HON'BLE MR. JUSTICE SURESH KUMAR KAIT****HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI****J U D G M E N T (Oral)**

1. The present Letters Patent Appeal has been instituted by the appellants against final order dated 13.01.2022 passed by the learned single Judge of this court in W.P. (C) No.806/2022 on the ground that the learned single Judge has erred in not considering the appellant/petitioners' contention that since the Central Government had failed to issue directions to the Life Insurance Corporation of India by exercising its powers under Section 21 of the Life Insurance



Act, 1956, the appellants were well within their rights to invoke the writ jurisdiction of this court, since the Union of India resides within the territorial jurisdiction of this court.

2. Learned counsel for the appellants submits that since respondent No.2-corporation is established by way of an Act of Parliament, it is the bounden duty of respondent No.1 to ensure that the laws made by Parliament are implemented by respondent No.2 in their true spirit.
3. It is further submitted by learned counsel for the appellants that the learned single Judge also erred in not taking into consideration that Delhi is the Zonal Office of respondent No. 2-corporation for the Northern Zone, and as such, this court would have territorial jurisdiction over all the divisional offices under it.
4. We have perused impugned order dated 13.01.2022 which is challenged before this court wherein in paras 3 and 4, the learned single Judge has recorded as under:

“3. I find that none of the petitioners, who have filed the petition, has applied against the notification issued by the Delhi Division. It is conceded by the learned counsel for the petitioners that all these petitioners have applied for recruitment against the notification issued by other Divisions, (not by Delhi Division). Learned counsel for the petitioners also concedes that



the applications under the RTI Act submitted by the petitioners have been replied to by the Authorities positioned outside Delhi indicating the existence of vacancies, which is the basis to file the present petition.

4. Suffice to state, no cause of action has arisen within the territorial jurisdiction of this Court to entertain this petition inasmuch as the recruitment notice is from outside Delhi; the petitioners are from outside Delhi; the policy if any is framed by the Head office in Mumbai; the prayer made in the petition can be considered, based on the vacancy position available in a particular Division; the appointing authority is based in the concerned Division, and the prayer made is for a direction to the Divisional offices (other than Delhi). ”

5. In view of the above, we find no illegality, muchless any perversity, in the impugned order passed by the learned single Judge; and see no merit in the present appeal.
6. The appeal is accordingly dismissed.
7. Pending applications, if any, also stand disposed of.

(SURESH KUMAR KAIT)
JUDGE

(ANUP JAIRAM BHAMBHANI)
JUDGE

MARCH 08, 2022/rk