

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3144 of 2023

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Girijesh Kumar Son of Late Sohan Singh Resident of Village-Khabhaini, P.S.-
Rampur Vhauram, District-Arwal.

... .. Petitioner/s

Versus

1. The Union of India Through the Inspector general of Police, Central Reserve, Police Force Rajasthan Sector, Kedriya Sada, Block-B Sector Vidyadhar Nagar Jaipur Rasasthan.
2. The Inspector General of Police Central Reserve, Police Force Rajasthan Sector, Kedriya Sada, Block-B Sector Vidyadhar Nagar Jaipur Rasasthan.
3. The Deputy Inspector Genral of Police, Ground Centre, Central Reserve Police, Ground Centre, Central Reserve Police Force, Mokama Ghat, Patna.
4. The Commandant, 14 B.N. Central Reserve Police Force C/o A.P.O. Gagan Sophiya Jammu and Kashmir.

... .. Respondent/s

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Appearance :

For the Petitioner

: Mr.Uttam Kr. Mishra, Advocate
Mr.Suresh Singh, Advocate

For the Union of India

: Mr.Praveen Kumar Sinha, Sr. Panel Counsel
Ms.Shail Kumari, CGC

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 27-07-2023 Heard learned counsel for the petitioner and learned
counsel for the UOI.

2.The petitioner stands terminated from his services,
as Constable in the Central Reserve Police Force by order dated
25.08.2013. An appeal against the said order was rejected by the
Inspector General by an order dated 14.07.2014. The orders
were put to challenge in C.W.J.C. No. 18512 of 2014. The writ



petition was dismissed. Thereafter the petitioner filed LPA against the impugned order, which was also dismissed.

3. The issue of petitioner's termination has attained finality up to the Division Bench. As per order dated 25.09.2020 passed in LPA No. 1734 of 2017. The petitioner thereafter has filed a 're-appeal' before the authority.

4. On a query being made as to under which provision a re-appeal has been filed. The learned counsel for the petitioner has no answer. There is no provision pointed out under which there is an option to file re-appeal when the termination order and decision passed in the appeal in the department, arising out of the termination order has attained finality up to the Division Bench in LPA No. 1734 of 2017.

5. The other aspect of the matter is that the order sought to be re-appealed against as well as the termination order, both have been passed outside the territorial jurisdiction of this Court in terms of Article 226 (2) of the Constitution of India and the law declared in this regard by the Apex Court in the case of *Nawal Kishore Sharma vs. Union of India & Ors.* reported in *(2014) 9 SCC 329*. Thus, the application is also not maintainable for want of territorial jurisdiction.

6. The Writ application is thus thoroughly



misconceived and the same is dismissed.

(Madhuresh Prasad, J)

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