

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CIVIL APPLICATION NO.1401 OF 2023
IN
CIVIL WRIT PETITION NO.10 OF 2023

Ritu Singh Khokher Rajveer Singh Saran -Vs- Coal India Limited, Coal Bhavan, (PD)

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Mr. Mohan Sudame, counsel for the petitioner.
Mr.Pushkar Ghare counsel for respondent.

**CORAM : A.S.CHANDURKAR &
MRS.VRUSHALI V. JOSHI, JJ.**

DATED : 12.06.2023.

1. Perused the application as well as the reply filed to the same.
2. By the said application, the respondent seeks dismissal of the writ petition on the ground that this Court lacks territorial jurisdiction to entertain the Writ Petition considering the prayers made therein.
3. In the Writ Petition, the petitioner has challenged the communication dated 18.11.2022 issued by Coal India Limited to it's subsidiary, Western Coalfields Limited where the petitioner is serving at Nagpur thereby rejecting her representation seeking grant of deemed date of appointment. Further prayer made in the Writ Petition is to grant deemed date of appointment to the petitioner.
4. After hearing learned counsel for the respondent, who relies upon the decision in the case of **State of Goa Vs.**

Summit Online Trade Solutions reported in 2023 (SC) OnLine SC 254 as well as the learned counsel for the petitioner relies upon the decision in the case of **Nawal Kishore Sharma Vs. Union of India and ors.** reported in (2014)9 SCC 329 and **Writ Petition NO. 3158 of 2020 (Diwakar D.Kode Vs.Coal India Limited and anr.) decided on 24.04.2023**, we are satisfied that the Writ Petition is maintainable at the Nagpur Bench as part of cause of action arises within its territorial limits.

5. By communication dated 26.05.2012 the respondent directed the petitioner to report for duty at Western Coalfields, Nagpur. Though the petitioner had given her joining letter on 04.01.2012, her date of joining was shown as 28.06.2012. The representation made by her has been rejected by the respondent and the impugned communication is served on the petitioner at Nagpur. Since the petitioner has suffered legal injury at Nagpur, the writ petition as filed is liable to be adjudicated on merits and there is no lack of territorial jurisdiction.

6. The civil application is therefore rejected.

Civil Application No. 1635 of 2023.

1. Considering the reasons mentioned in the application, the same is allowed. The petitioner is permitted to implead Western Coalfields Limited as respondent No.2- in the array of the parties.

2. Shri. Onkar Ghare, learned counsel appearing for respondent-1 is directed to accept the notice for respondent No.2, whom he also represents.

3. The amendment be carried out forthwith.
4. Civil application is disposed of.

CIVIL WRIT PETITION NO.10 OF 2023

Stand over after three weeks to enable the respondents to file affidavit-in-reply in the matter.

JUDGE

JUDGE