

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

217

CWP-11005-2018 (O&M)  
Date of Decision: 02.04.2024

Tarun Kumar

...Petitioner

Versus

Union of India and others

...Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present:- Mr. Rao Ajender Singh, Advocate for the petitioner  
Ms. Richa Sharma, Advocate  
for Mr. Amar Vivek, Advocate for respondent Nos.2 and 3  
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JAGMOHAN BANSAL, J. (Oral)

1. The petitioner through instant petition under Articles 226/227 of the Constitution of India is seeking setting aside of result of selected candidates for the post of Probationary Engineers (Electronic).
2. The respondent advertized 66 posts of Probationary Engineers. The petitioner applied for the post and he appeared in the written test. He secured 51.85 out of 85 marks. He appeared in the interview, however, was not selected.
3. Learned counsel for the respondents, at the outset, submits that this Court has no territorial jurisdiction to entertain the present petition and a Coordinate Bench of this Court has already dismissed *CWP No.18134 of 2017*

vide order dated 22.03.2022. The said petition was also related to the advertisement in question.

4. On being confronted with the aforesaid order, learned counsel for the petitioner could not distinguish facts of present case from the facts of *CWP No.18134 of 2017*.

5. This Court vide order dated 22.03.2022 has dismissed identical petition. The operative part of the said judgment reads as:

*“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.”*

6. In the wake of order dated 22.03.2024 passed by Coordinate Bench of this Court in *CWP No.18134 of 2017*, the present petition stands disposed of in the same terms.

7. Pending application(s), if any, shall also stand disposed of.

(JAGMOHAN BANSAL)  
JUDGE

02.04.2024  
Mohit Kumar

|                                  |               |
|----------------------------------|---------------|
| <i>Whether speaking/reasoned</i> | <i>Yes/No</i> |
| <i>Whether reportable</i>        | <i>Yes/No</i> |

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