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

+ **W.P.(C) 13585/2024**

AMIT BAINSLA

.....Petitioner

Through: Mr. Abhinav Bhardwaj, Advocate

versus

**NATIONAL HYDROELECTRIC POWER CORPORATION
THROUGH DIRECTOR & ANR.**

.....Respondents

Through: Mr. Amandeep Singh, Advocate with
Mr. Sanjeev Kumar, SM (HR), Mr. Mukesh
Gupta, GSM (Law) and Mr. Rohit Kannoja, DM
(Law) for R-1.

Mr. Mukul Singh, CGSC with Mr. Aakash Pathak,
Government Pleader and Ms. Ira Singh, Advocate
for R-2.

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

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26.09.2024

CM APPL. 56742/2024

1. Allowed, subject to all just exceptions.
2. Application stands disposed of.

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3. This writ petition has been preferred on behalf of the Petitioner under Articles 226 and 227 of the Constitution of India assailing e-mails dated 27.02.2024 and 23.08.2024 whereby candidature of the Petitioner for the post of Trainee Engineer (TE/TO) (Mech.) has been cancelled against Advertisement No. NH/Rectt./03/2023.

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4. Learned counsel for Respondent No.1 takes a preliminary objection to the maintainability of this writ petition on the ground that this Court lacks the territorial jurisdiction to entertain this petition as no cause of action has arisen at Delhi, since the Advertisement in question was issued from the office of Respondent No.1 located at Faridabad and even the impugned e-mail cancelling the candidature of the Petitioner has been issued from Faridabad. Additionally, it is stated that in the advertisement itself it was provided in clause 20 under “General Information and Instructions” that *“in case of any dispute, the competent court at Faridabad / High Court of Punjab and Haryana at Chandigarh, shall have exclusive jurisdiction.”*

5. In light of the preliminary objection, learned counsel for the Petitioner, on instructions, from the Petitioner, who is present in Court, seeks to withdraw the writ petition with liberty to take recourse to the appropriate remedy in the appropriate Court having jurisdiction in the matter.

6. Writ petition is disposed of as withdrawn with liberty as prayed for, making it clear that this Court has neither entered into nor expressed any opinion on the merits of the case.

JYOTI SINGH, J

SEPTEMBER 26, 2024/kks

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