



2024:DHC:8879-DB



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

Date of decision: 18.11.2024

+ **W.P.(C) 15903/2024**

BRAJENDRA KUMAR

.....Petitioner

Through: **Mr. Krishan Kumar Sharma,**
Adv.

versus

UNION OF INDIA AND ORS.

.....Respondents

Through: **Mr. N.K. Agarwal and Ms.**
Yashaswi S.K. Chocksey,
Advs. with Mr. Ajay Pal,
AC, CRPF

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

HON'BLE MS. JUSTICE SHALINDER KAUR

NAVIN CHAWLA, J. (Oral)

CM APPL. 66769/2024

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

W.P.(C) 15903/2024 and CM APPL. 66770/2024

3. This petition has been filed by the petitioner praying for the following reliefs:-

“a) To issue the writ of Mandamus/Certiorari or any such order/orders directing the Respondent No. 2-6 for Quashing/setting aside the impugned order dated 14/02/2023 passed by Respondent No. 6 i.e. Commandant 151 BN., C.R.P.F.; impugned order dated 09/06/2023 passed by Respondent No. 5 i.e. DIG, Range Neemuch, impugned order dated 29/02/2024 passed by Respondent No. 4 i.e. IG, MP Sector, impugned order dated 05/08/2024 passed by Respondent No. 3 i.e. Special DG. Kolkata,



b) To issue the writ of Mandamus/Certiorari or any such order/orders directing the Respondent No. 2-6 for allowing the present petition by directing the Respondent No. 2-6, reinstating of the petitioner into service, along with all consequential benefits;

c) To issue the writ of Mandamus/Certiorari or any other appropriate order/orders directing Respondent Nos. 2-6 to take necessary and serious steps, including initiating departmental enquiry against Respondent No. 6, in light of the alleged illegal activities conducted by the said Respondent No. 6.”

4. As would be evident from the above, the petitioner is challenging the orders passed by respondent nos. 2 to 6, who are officers/authorities not situated within the jurisdiction of this Court. The petitioner himself is a resident of Chhattisgarh. The learned counsel for the respondents, therefore, raises an objection on the ground of lack of territorial jurisdiction of this Court to entertain the present petition.

5. The learned counsel for the petitioner, in response, draws our attention to paragraph 53 of the writ petition, which reads as under:-

“That as the DG's office exerts administrative authority over the CRPF, it provides grounds for filing in Delhi even if the officer's place of service is elsewhere and such jurisdiction can encompass challenges to disciplinary proceedings, dismissals, or disputes around service conditions stemming from directives issued or overseen by the CRPF'S DG office in Delhi. That moreover, the office of Respondent No. 7, which is responsible for the release of the pending NSP, salary, and other money-related issues, falls within the jurisdiction of this Hon'ble Court.”

6. The learned counsel also draws our attention to the interim prayer made in CM APPL. 66770/2024, whereby the petitioner seeks



2024:DHC:8879-DB



release of the New Pension Scheme (NPS) amount, and submits that as the same is to be released by respondent no.7, thus, this Court would have the territorial jurisdiction.

7. We are not impressed with the above arguments of the learned counsel for the petitioner.

8. As far as the prayer for the release of the NPS amount is concerned, it is noticed that in the main prayers in the writ petition, there is no such prayer made by the petitioner. The interim prayer cannot travel beyond the main prayer made in the Writ Petition.

9. As far as the relief which is claimed in the writ petition is concerned, as noted hereinabove, none of the relevant authorities are situated within the territorial jurisdiction of this Court. The entire cause of action has also arisen outside the jurisdiction of this Court. Furthermore, the petitioner is also not a resident of Delhi. The record of the case of the petitioner is also not in Delhi. Merely because the Office of the Director of Accounts, Central Reserve Police Force (CRPF) is situated at New Delhi, in our view, the same would not make this Court a *forum conveniens* for the parties.

10. Accordingly, we refuse to entertain the present petition. The same, along with the pending application, is hereby dismissed, leaving it open to the petitioner to seek appropriate remedies in the appropriate court having jurisdiction.

NAVIN CHAWLA, J.

SHALINDER KAUR, J.

NOVEMBER 18, 2024/SU/SK/as

[Click here to check corrigendum, if any](#)