



2024:DHC:9003-DB



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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI***Date of decision: 21.11.2024*

+ W.P.(C) 16148/2024

SONAJI SHRIDHAR GAIKWAD .....Petitioner

Through: Ms. Nisha Dhaka, Adv.

versus

UNION OF INDIA AND ORS .....Respondents

Through: Mr. Rajnish Kumar Gaiind, Mr.  
Hemant Kaushik, Ms. Charu  
Rajput and Mr. Himanshu  
Gupta, Advs.**CORAM:****HON'BLE MR. JUSTICE NAVIN CHAWLA****HON'BLE MS. JUSTICE SHALINDER KAUR****NAVIN CHAWLA, J. (Oral)****CM APPL. 67876/2024 (exemption)**

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

**W.P.(C) 16148/2024 and CM APPL. 67875/2024**

3. This petition has been filed by the petitioner seeking setting aside of the report dated 31.07.2024 issued by the Review Medical Examination Board, whereby the petitioner has been rejected for appointment to the post of Constable (Tailor) in the 'Constable (Technical and Tradesmen) (Male/Female) – 2023 in CRPF' advertised on 15.03.2023.



4. The petitioner had applied for the post of Constable (Tailor) pursuant to the abovementioned Advertisement Notice dated 15.03.2023. Clause 18 of the said advertisement reads as under:

*“18. **Court’s Jurisdiction:** Any dispute in regard to this recruitment will be subject to courts having jurisdiction over the place of concerned Examination Centres where the candidate has appeared for the CBT.”*

5. Admittedly, the petitioner has not appeared for the Computer Based Examination in Delhi. His PST was also not conducted in Delhi.

6. This Court, on an objection of the respondents for lack of territorial jurisdiction for adjudicating a petition raising a similar issue, in its Order dated 25.07.2024 passed in W.P.(C) 8480/2024, titled ***Uttam Kumar v. Union of India Through Its Secretary and Others***, has held as under:-

*“8. Having considered the submissions of learned counsel for the parties and perused the record, we are of the considered view that once the advertisement pursuant to which the petitioner had applied contained a specific clause providing for territorial jurisdiction of the Court/Tribunal situated in the area where the test was held.*

*9. The petitioner cannot now be permitted to argue that the clauses mentioned in the advertisement are not binding on him. We are, therefore, of the opinion that this Court does not have territorial jurisdiction to entertain the present writ petition. The writ petition is, accordingly, disposed of, by granting liberty to the petitioner to approach the Court having territorial jurisdiction.”*

7. Being bound by the above Judgment, we dispose of the present



2024:DHC:9003-DB



petition, reserving the liberty of the petitioner to approach the Court of competent jurisdiction. The pending application also stands disposed of.

**NAVIN CHAWLA, J**

**SHALINDER KAUR, J**

**NOVEMBER 21, 2024**

SU/as

*Click here to check corrigendum, if any*