



2025:DHC:206-DB



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

Date of decision: 14.01.2025

+ W.P.(C) 414/2025

ANAND KUMAR

.....Petitioner

Through: Mr. Sahil Mongia, Ms. Sanjana
Samor & Mr. Yash Yadav,
Advs.

versus

UNION OF INDIA AND ORS

.....Respondents

Through: None.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

HON'BLE MS. JUSTICE SHALINDER KAUR

NAVIN CHAWLA, J. (ORAL)

CM APPL. 2080/2025

1. Allowed, subject to all just exceptions.

W.P.(C) 414/2025 & CM APPL. 2079/2025

2. This petition has been filed by the petitioner challenging the Impugned Letter dated 23.12.2024, issued by the respondent no.2, informing the petitioner that the petitioner has been declared “unsuitable for employment in the CISF”.

3. The Impugned Order dated 23.12.2024 has been issued by the Commandant, the Central Industrial Security Force (CISF), RTC Arakkonam, District Ranipet, Tamil Nadu. The petitioner himself is a



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resident of the State of Uttar Pradesh We, therefore, enquired from the petitioner as to why this petition has been filed before this Court. He submits that the petition has been filed before this Court as the office of the Director General, CISF and the Ministry of Home Affairs is situated at Delhi.

4. Apart from the fact that the Impugned Order dismissing the petitioner from service has not been issued at Delhi, it is trite law that “cause of action” means a bundle of facts which is necessary for the petitioner to prove in order to succeed in the proceedings. It does not completely depend upon a character of the relief prayed for by the petitioner. A small part of the cause of action arising within the territorial jurisdiction of a High Court may not be considered as a determinative factor compelling the High Court to decide the matter on its own merits. In such a case, the doctrine of *forum non conveniens* shall apply.

5. As noted herein above, in the present case, the Impugned Order has been passed by the Commandant, CISF, RTC Arakkonam, District Ranipet, Tamil Nadu. Therefore, the cause of action has arisen at Tamil Nadu. Merely because the office of the Director General, CISF and the Ministry of Home Affairs is situated at Delhi, it will not make this Court a *forum conveniens*.

6. Applying the principle of the doctrine of *forum non conveniens*, therefore, we are of the opinion that this Court would not be the appropriate/convenient Forum to adjudicate on the grievance raised by the petitioner.



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7. Accordingly, we decline to entertain the present petition in exercise of the discretion vested in as under Article 226 of the Constitution of India.

8. The petition and the pending applications are dismissed, while reserving the liberty of the petitioner to approach the jurisdictional High Court.

NAVIN CHAWLA, J

SHALINDER KAUR, J

JANUARY 14, 2025/ab/sk

Click here to check corrigendum, if any