

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.9289 of 2022**

Sanjay Kumar Singh S/o Umeshwar Prasad Singh Resident of Village Patori,  
P.S. Satar Katiya, District- Saharsa, working as Reg. No. 94003150, Rank  
Head Constable/G.D. Gulm F, 53th Bn, Boarder Security Force, COB Raohat,  
(Police Station), Post Kolar, District Uttar Baster Kanker, Chhattisgarh.

... .. Petitioner/s

Versus

1. Union of India through its Secretary, Ministry of Home Affairs, Jaisalmer House, 26, Mansingh Road, New Delhi- 110011.
2. The Director General, Baorder Security Force, Block No.10, CGO Complex, New Delhi- 110003.
3. D.G. Comnd. HQSPL OPS (BSF) D-II/21Q22, Sec. 17, Atal Nagar, New Raipur, Chhatishgarh.
4. The IG, B.S.F. (Spl Ops) CG Old Moh, Sector-4, Bhilai, Durg, Chhatisgarh, 490001.
5. The DIG BSF, Sector-6, Bhilai, Chhatisgarh, 490006.
6. The Commandant, 53 Bn. BSF, Durgkondal, Distt Kanker, Uttar Baster, Chhattisgarh, Pin- 494669.
7. The Director General of B.S.F. Lodhi Road, New Delhi.

... .. Respondent/s

**Appearance :**

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| For the Petitioner/s | : | Mr.Madhav Jha, Advocate            |
| For the UoI          | : | Mr. Awadhesh Kumar Pandey, Sr. CGC |
|                      |   | Mr. Arvind Kumar, CGC              |
|                      |   | Mr. Avinash Kumar, CGC             |

**CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN**  
**ORAL ORDER**

3      31-01-2026                      Heard learned counsel for the petitioner and learned  
counsel for the State.

2. The present writ petition has been filed challenging  
the order dated 10.07.2021 as well as the order dated  
31.01.2022, whereby the petitioner, who was an employee of the



Border Security Force (BSF), has been retired on the ground of unsuitability for service under Rule 26 of the BSF Rules, 1969 read with Rule 40 of the CCS (Pension) Rules, 1972, with compulsory pension at the rate of compensation pension, i.e., 50% of the emoluments or average emoluments, whichever is higher, along with other admissible pensionary benefits, without considering the case of the petitioner and his reply to the show-cause notice.

3. Learned counsel for the Union of India has raised a preliminary objection submitting that the petitioner was admittedly an employee of the BSF Headquarters at Chhattisgarh and that the impugned orders were passed by the competent authority at Chhattisgarh. Therefore, the present writ petition is not maintainable before this Court, as the entire cause of action has arisen within the territorial jurisdiction of Chhattisgarh.

4. In view of the aforesaid submission, since the cause of action relating to the petitioner has arisen within the State of Chhattisgarh, the present writ petition stands disposed of with liberty to the petitioner to avail his appropriate remedy before the competent court at Chhattisgarh within a period of 90 days from the date of this order.



5. With the aforesaid observations and directions, the  
present writ petition stands disposed of.

**(Dr. Anshuman, J)**

Ashwini/-

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