





arisen within the territorial limits of this Court. Submission is that once the competent authority for appointing the appellant and for his termination is at Panchkula, Haryana, any action of such authority would constitute a part of cause of action.

3. Learned counsel for the respondent does not dispute that the appointing authority of the appellant is stationed at Panchkula, Haryana. The order of termination of his services have also been passed by authority at Haryana.

4. Considering the undisputed position that the appointing authority of the appellant is stationed at Panchkula and the impugned order has also been passed by authority stationed at Panchkula, we find that a part of cause of action has arisen within the territorial limits of this Court notwithstanding the fact that actual place of working of appellant was at Nalagarh, Himachal Pradesh. In that view of the matter, we cannot endorse the view expressed by the learned Single Judge that no part of cause of action has arisen within the territorial limits of this Court.

5. In '**Nandram vs. Garware Polyster Limited**', 2016(6) SCC 290, the Hon'ble Supreme Court clearly acknowledged that where the order of termination is passed, it would constitute a part of cause of action at such place. Para 4 of the judgment of the Supreme Court is relied upon, which reads as under:-

"4. Though the learned counsel on both sides had addressed in detail on several issues, we do not think it necessary to go into all those aspects mainly because in our view they are only academic. In the background of the factual matrix, the undisputed position is that the appellant



was employed by the Company in Aurangabad, he was only transferred to Pondicherry, the decision to close down the unit at Pondicherry was taken by the Company at Aurangabad and consequent upon that decision only the appellant was terminated. Therefore, it cannot be said that there is no cause of action at all in Aurangabad. The decision to terminate the appellant having been taken at Aurangabad necessarily part of the cause of action has arisen at Aurangabad. We have no quarrel that the Labour Court, Pondicherry is within its jurisdiction to consider the case of the appellant, since he has been terminated while he was working at Pondicherry. But that does not mean that the Labour Court in Aurangabad within whose jurisdiction the management is situated and where the management has taken the decision to close down the unit at Pondicherry and pursuant to which the appellant was terminated from service also does not have the jurisdiction."

6. In **'Kusum Ingots & Alloys Ltd. vs. Union of India and another'**, 2004(6) SCC 254, also the Supreme Court has observed as under:-

"27. When an order, however, is passed by a court or tribunal or an executive authority whether under provisions of a statute or otherwise, a part of cause of action arises at that place. Even in a given case, when the original authority is constituted at one place and the appellate authority is constituted at another, a writ petition would be maintainable at both the places. In other words, as order of the appellate authority constitutes a part of cause of action, a writ petition would be maintainable in the High Court within whose jurisdiction it is situate having regard to the fact that the order of the appellate authority is also required to be set aside and as the order

of the original authority merges with that of the appellate authority."

7. Consequently, the Letters Patent Appeal is ***allowed***. The order of learned Single Judge is set aside. The matter is remitted to the learned Single Judge for consideration of the case on merits.
8. Pending application(s), if any, stand(s) disposed of.

(ASHWANI KUMAR MISHRA)
JUDGE

(ROHIT KAPOOR)
JUDGE

05.03.2026

neeraj

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No