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

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Date of Decision : 19.03.2026+ **W.P.(C) 3544/2026****PRAVEEN PRAKASH PATIL**

.....Petitioner

Through: **Mr. Saroj Kumar Singh, Advocate**

versus

UNION OF INDIA & ORS.

.....Respondents

Through: **Dr. Ishaan Swarana Sharma, SPC
with Ms. Shambhavi Sharma, GP
with Mr. Shubham Shukla, Mr.
Ayush and Mr. Mukund Ranjan,
Advocates along with Mr. Devendra
Singh, DC(JAG), ITBP****CORAM:****HON'BLE MR. JUSTICE V. KAMESWAR RAO****HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA****V. KAMESWAR RAO , J. (ORAL)****CM APPL. 17110/2026(Exemption)**

1. Exemption is allowed, subject to all just exceptions.
2. The application stands disposed of.

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3. This petition has been filed by the petitioner with the following prayers:-

- a) *Set aside the order dated 16.02.2023 passed by the Respondent as well as kindly give the direction to Re-Estate / Rejoin the service of the petitioner as earlier as possible.*
- b) *Any other order or relief which Hon'ble court may deem fit and proper under the facts and circumstances of the case in the interest of justice.*



4. In effect, the petitioner is seeking his reinstatement in the service by challenging the dismissal order dated 16.02.2023.
5. Concedingly, the petitioner is based in Tehsil Belgaum, Karnataka and the order which he is challenging has been passed by the competent authority, based in Udhampur, Jammu and Kashmir. The issue of maintainability of the petition has been raised by this Court as the entire cause of action has arisen outside the territorial jurisdiction of this Court.
6. The learned counsel for the petitioner has relied upon the judgment of the Coordinate Bench of this Court to contend that as the Head Office of the respondent is situated in New Delhi, the petition shall be maintainable.
7. We are unable to accept the said submission of the learned counsel for the petitioner for the simple reason the bundle of facts which need to be determined while considering prayers as made by the petitioner is only in respect of the order of dismissal passed by the competent authority based in Udhampur, Jammu and Kashmir. The plea of the learned counsel for the petitioner is that as there are judgments which contemplate that if the Head Office is situated in New Delhi, the petition shall be maintainable. But no judgment has been shown to us by the learned counsel for the petitioner.
8. On the issue of maintainability of a writ petition, this Court in the case of *Anand Kumar v. Union of India & Others, 2025:DHC:206-DB* has held that:

“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.”

9. In the context of entertaining a writ petition by the High Courts, the Supreme Court in ***Oil and Natural Gas Commission v. Utpal Kumar Basu, (1944) 4 SCC 711***, has held that the High Courts must satisfy itself that a small part of cause of action has arisen within its territorial jurisdiction before entertaining a writ petition.

10. In the facts of the case, we state that no cause of action has arisen for petitioner to approach this Court. Liberty shall be with the petitioner to approach the Court having the jurisdiction. The petition is closed.

V. KAMESWAR RAO, J

MANMEET PRITAM SINGH ARORA, J

MARCH 19, 2026

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