



2026:AHC:6061

HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - A No. - 73 of 2026

Dinesh Kumar

.....Petitioner(s)

Versus

The Union Of India And 4 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Divya Jyoti, Mohammad Fahad
Counsel for Respondent(s)	:	A.S.G.I.

Court No. - 33

HON'BLE VIKAS BUDHWAR, J.

1. Heard Sri Devesh Mishra (AoR A/D 0378 of 2018) holding brief of Ms. Divya Jyoti, learned counsel for the writ petitioner and Sri S.K. Pal, DSGI for the State.

2. A preliminary objection has been raised by the learned counsel of the respondent that this Court may not have territorial jurisdiction particularly when the dismissal order came to be passed in Jammu Kashmir and the appellate and the revisional order have been passed in Delhi. He seeks to rely upon the Full Bench Decision in **Rajendra Kumar Mishra Vs. Union of India (2005) 1 UPLBEC 108**. Learned counsel for the writ petitioner in order to meet the said objection has sought to argue that the writ petitioner is a resident of District Etawah and presently he is residing in all the correspondences have been owned. He seeks to rely upon the Apex Court judgment in **Kusum Ingots & Alloys Ltd. Vs. Union of India and another: (2004) 6 SCC 254**, **Nawal Kishore Sharma Vs. Union of India and others : (2014) 9 SCC 329**, **Special Appeal No. 742 of 2012 (Jeeut Yadav Vs. Union of India and others)** decided on 24.04.2012 and **Special Appeal No. 215 of 2017 (Union of India Vs. Sri Fateh Bahadur)** decided on 13.04.2017 in order to contend that this Court has territorial jurisdiction over that matter.

3. I have heard the submission so made across the bar and perused the record.

4. Apparently, the writ petitioner was engaged in BSF and his services

stood terminated by the authority in Jammu and Kashmir, appeal and revision came to be dismissed in Delhi, thus, no cause of action arises in Uttar Pradesh so as to make the writ petition maintainable before this Court. As regards the judgment in the case of **Kusum Ingots & Alloys Ltd. (supra)**, **Nawal Kishore Sharma (supra)**, **Jeeut Yadav (supra)**, **Union of India Vs. Sri Fateh Bahadur (supra)** are concerned, they are not applicable particularly when they are those cases wherein a part of cause of action arose within the Court wherein proceedings were initiated.

5. At this juncture, Sri Devesh Mishra, as per the instructions, submits that writ petitioner would initiate proceeding before the Court have territorial jurisdiction over the matter.

6. Considering the said statement, the writ petition is **disposed of** leaving it open for the writ petitioner to approach the Court have territorial jurisdiction over the matter.

(Vikas Budhwar,J.)

January 9, 2026

Rajesh