



2026:AHC:32417

HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - A No. - 746 of 2026

Chandra Shekhar Sharma

.....Petitioner(s)

Versus

Union Of India And 2 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Pankaj Sharma, Pradeep Kumar
Counsel for Respondent(s)	:	A.S.G.I., Ravi Prakash Singh

Court No. - 33

HON'BLE VIKAS BUDHWAR, J.

1. Heard Sri Mustaqeem Ahmad (A/M 0674/2012) Advocate, holding brief of Shri Pradeep Kumar, learned counsel for the petitioner and Sri Ravi Prakash Singh, learned counsel for the respondents.
2. By means of the present writ petition, the writ petitioner seeks to challenge the show cause notice/ office memorandum dated 18.11.2025 passed by Commandant 41th Battalion, CRPF, Bopal.
3. A preliminary objection has been raised by Shri Ravi Prakash Singh, learned counsel for the respondents, that this Court may not have a territorial jurisdiction over the matter, particularly, when the order impugned came to be passed from an authority from Bhopal and the writ petitioner was lastly posted in Bhopal.
4. In reply to the same, counsel for the writ petitioner submits that a criminal case is stated to have been pending in Aligarh thus this Court would have jurisdiction over the matter.
5. I have heard learned counsel for the parties and gone through the records carefully.
6. Apparently, the writ petitioner was posted in Bhopal and the office memorandum/ show cause notice which is impugned, has been issued from an authority in Bhopal.
7. In ***Rajendra Kumar Mishra vs. Union of India***; 2005 (1) ACJ 375, the Full Bench has observed as follows:-

"13. In our opinion merely because the petitioner is presently residing in Ballia this will not give jurisdiction to this Court in view of the Seven Judges Bench decision of the Supreme Court in Lt. Col. Khajoor Singh v. Union of India. AIR 1961 SC 532. In paragraph 13 of the aforesaid decision the Supreme Court observed:

"Now it is clear that the jurisdiction conferred on the High Court by Article 226 does not depend upon the residence or location of the person applying to it for relief; it depends only on the person or authority x against whom a writ is sought being within those territories. It seems to us, therefore, that it is not permissible to read in Article 226 the residence or location of the person affected by the order passed in order to determine the jurisdiction of the High Court. That jurisdiction depends on the person or authority passing the order being within those territories and the residence or location of the person affected can have no relevance on the question of the High Court's jurisdiction. Thus if a person residing or located in Bombay, for example, is aggrieved by an order passed by an authority located, say , in Calcutta, the forum in which he has to seek relief is not the Mumbai High Court though the order may affect him in Bombay but the Calcutta High Court where the authority passing the order is located. It would, therefore, in our opinion be wrong to introduce in Article 226 the concept of the place where the order passed has effect in order to determine the jurisdiction of the High Court which can give relief under Article 226."

8. Since no cause of action arises within the territorial jurisdiction of the Court, thus, the writ petition is **dismissed** for want of territorial jurisdiction with a liberty to the writ petitioner to question the office memorandum/ show cause notice before the Court having territorial jurisdiction over the matter.

February 13, 2026
Ashu

(Vikas Budhwar,J.)