

Rajkumar Shobhane Vs. the State of Madhya Pradesh

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Court : Madhya Pradesh

Decided On : Dec-10-2012

Appellant : Rajkumar Shobhane

Respondent : The State of Madhya Pradesh

Advocate for Pet/Ap. : Shri. Narendra Nath Tripathi

Judgement :

rajkumar shobhne versus State 1 W.P.No.4321/2012 10.12.2012: Shri Narendra Nath Tripathi, learned counsel for the petitioner.

Shri B.P.Pandey, learned Dy.

Govt.

Adv.for respondents .

Petitioner is posted and is working in Datiya and the dispute is with regard to the appointment or otherwise of the petitioner in District Datiya, the impugned action is taken by the Collector, Datiya and therefore, office has raised an objection as jurisdiction to deal with the matter is with the Gwalior Bench of this Court and petition before this Court is not maintainable.

Even though learned counsel for the petitioner tried to emphasize that in the previous round of litigation certain petitions were entertained before this Bench

and therefore, the matter be considered, the fact remains that previously even though the writ petition was filed before this Bench, it was disposed of without taking note of the aforesaid objection and not when on the basis of the order passed in the earlier writ petition action is taken by the Collector of Datia and claim of the petitioner is rejected by the said Collector after due consideration, the matter has to be adjudicated on merit.

As petitioner is posted in Datia and impugned action is taken by the Collector, Datia, office objection is upheld.

Petition is dismissed with liberty to the petitioner to rajkumar shobhne versus State 2 take recourse to the remedy available of approaching Gwalior Bench of this Court which has territorial jurisdiction in the matter.

Petition is accordingly, dismissed.

(Rajendra Menon) Judge mrs.mishra

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