

Court No. - 20

Case :- WRIT - A No. - 8078 of 2023

Petitioner :- Rahul Singh Rathor

Respondent :- Union Of India Thru. Secy.Ministry Of Home Affairs And 2 Others

Counsel for Petitioner :- Anoop Kumar

Counsel for Respondent :- A.S.G.I.

Hon'ble Manish Mathur,J.

1. Heard learned counsel for petitioner and Mr. S. B. Pandey, learned Senior counsel, Deputy Solicitor General of India assisted by Mr. Varun Pandey, learned counsel appearing on behalf of opposite parties.

2. Petition has been filed challenging order dated 18.04.2022 whereby petitioner was transferred from District Balrampur (U.P.) to District Bagha (Bihar). Also under challenge is order dated 02.05.2023 whereby petitioner's representation against transfer has been rejected. Prayer has also been made for decision on petitioner's representation dated 09.05.2023 in the light of guidelines dated 10.02.2023 and office memorandum dated 30.09.2009.

3. Learned counsel appearing on behalf of opposite parties has however refuted submissions advanced by learned counsel for petitioner with the submission that transfer order has been affected one and half years ago and in pursuance of same, petitioner has also joined in his place of transfer and therefore this petition is not maintainable at the belated stage. It is submitted that furthermore his representation has already been rejected although on another ground.

4. Considering the fact that impugned order of transfer has been passed one and half years ago on 18.04.2022 and petitioner has already joined in pursuance thereof, this Court does not find any occasion to interfere with order impugned particularly when the petitioner belongs to a para military force and is required to adhere to discipline. However since petitioner has claimed infringement of guidelines dated 10.02.2023 and office memorandum dated 10.09.2009, liberty is granted to him to seek benefit of the same prior to his next transfer.

5. With the aforesaid directions, petition stands **disposed of**.

Order Date :- 17.10.2023

Subodh/-