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

+ W.P.(C) 9825/2015 & C.M.No.23688/2015 (for stay)

JITESH SINGH Petitioner

Through: Ms.Saahila Lamba, Advocate

versus

UNION OF INDIA & ANR. Respondents

Through: Mr.Akshay Makhija, CGSC with
Ms.Mahima Bahl, Advocate for UOI

CORAM:

HON'BLE MR. JUSTICE S. RAVINDRA BHAT

HON'BLE MS. JUSTICE DEEPA SHARMA

ORDER

% **16.10.2015**

1. The petitioner is aggrieved by his transfer to Patiala vide order dated 12.09.2013. He submits that the order is arbitrary. It is firstly submitted that the order is contrary to para 3 (a) of the Circular dated 05.11.2012 which states that an officer would be posted in “soft area” – referred to as ‘SA’ – for three years normally. It is consequently urged that the movement/transfer order is the outcome of an altercation with another officer. Consequently, counsel for the petitioner contends that the order is tainted by *malafides*. The respondents resist the proceedings contending that the petitioner has been merely shifted from Chandigarh to Patiala – the latter also falls within the ‘SA’ category and that no hardship has been shown. The respondents submit that the allegations are *malafides* and are unwarranted.

2. The court has considered the submissions. The petitioner has evidently served for two and a half years in the present place of posting. The tenure indicated in the circular relied upon itself shows that the petitioner can be posted for three years to a soft area. The petitioner has concededly been shifted to another soft area. Consequently, there is no infirmity in the order of transfer. The allegations of *malafide*, in our opinion are too vague, as to be taken note of to interfere with the transfer order.

3. The writ petition and pending application are consequently dismissed.

S. RAVINDRA BHAT, J

DEEPA SHARMA, J

OCTOBER 16, 2015

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