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

+ W.P.(C) 2401/2016 & C.M. 10273/2016

ANIL SINGH Petitioner

Through: Ms. Sahila Lamba, Advocate

versus

UNION OF INDIA & ORS. Respondents

Through: Mr. Jagjit Singh, Sr. Standing
Counsel for Railways

CORAM:

HON'BLE MS. JUSTICE HIMA KOHLI

HON'BLE MR. JUSTICE SUNIL GAUR

ORDER

% **21.03.2016**

1. The petitioner has filed this petition praying *inter alia* for quashing of Force Order dated 10th March, 2016, whereunder he has been transferred from Patiala (Punjab) to Varanasi (UP) on administrative grounds.

2. Ms. Sahila Lamba, counsel for the petitioner states that there is no exigency of service, which warrants curtailment of the prescribed tenure of three years for posting from one station to the other and considering the fact that the petitioner had been posted at Patiala (Punjab) as recently as on 15th April, 2015, in ordinary course, he should have remained at the said place of posting till 14th April, 2018.

3. Counsel for the petitioner states that on receiving the transfer order, the petitioner had submitted a representation dated 11th March, 2016, to

the Competent Authority stating *inter alia* that he has a 14 year old daughter, who is a patient of Cerebral Palsy and needs a settled environment for her growth and further, that his transfer order has been passed in less than one year of his posting at Patiala (Punjab). Since the respondents have failed to respond to the petitioner's representation, the petitioner has filed the present petition.

4. Counsel for the respondents states that the pending representation of the petitioner shall be decided within a reasonable time and the decision taken shall be intimated to him at the earliest.

5. In view of the aforesaid submission, the petition and the application are disposed of with directions issued to the respondents to decide the petitioner's pending representation dated 11th March, 2016, within four weeks keeping in mind the condition of his physically challenged daughter, under written intimation to him. Till a decision is taken by the respondents on petitioner's representation, the impugned order dated 10th March, 2016, shall not be given effect to.

6. Copy of this order be given *dasti* to the counsel for the petitioner.

HIMA KOHLI, J

SUNIL GAUR, J

MARCH 21, 2016

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