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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ W.P.(C) 3288/2016 & C.M. 13986/2016
ANIL GULATI Petitioner
Through: Mr. Ankur Chhibber, Advocate

versus

UNION OF INDIA & ORS. Respondents
Through: Mr. P.C. Yadav, Advocate

CORAM:

HON'BLE MS. JUSTICE HIMA KOHLI
HON'BLE MR. JUSTICE SUNIL GAUR

% **ORDER**
02.05.2016

1. The present petition has been filed by the petitioner praying *inter alia* for quashing of the office orders dated 8th December, 2015 and 15th December, 2015, whereunder he has been directed to report to the IG, Referral Hospital, Greater Noida.

2. Learned counsel for the petitioner states that this is the second round of litigation that the petitioner has had to initiate against the respondents. In the first writ petition filed by the petitioner [W.P.(C) 6286/2015], he had sought cancellation of his transfer order directing him to report at Shillong on the ground that his mother is 83 years old and suffers from cancer. After considering the stand taken by both sides, the writ petition was disposed of vide order dated 7th September, 2015, with

directions to the respondent-ITBP to ensure that the petitioner is retained in Delhi against the leave vacancy of one Ms. Poonam Ahuja and make consequential orders thereto. It was also directed that the duration of the petitioner's posting would correspond to the leave sanctioned to Ms. Poonam Ahuja.

3. Learned counsel for the petitioner states that pursuant to the aforesaid order, the petitioner was directed to report to the Addl. Director General (Medicine) at Tigri Camp, Delhi, which was subsequently temporarily shifted to Greater Noida. He submits that vide order dated 15th December, 2015, the petitioner was directed to report to IG (Medical) at Referral Hospital, Greater Noida, while the officer with whom he was attached i.e. Addl. Director General (Medicine) was posted back at Tigri Camp, Delhi. Vide representation dated 1st April, 2016, the petitioner raised his grievance with the competent authority, which has remained pending. Hence the present petition.

4. Mr. P.C. Yadav, Advocate, who appears on behalf of the respondents on advance notice, assures this Court that the petitioner's representation dated 1st April, 2016 shall be considered and decided within two weeks from today, by passing a speaking order, under written intimation to him.

5. In view of the aforesaid submission made by learned counsel for the respondents, the present petition and the application are disposed of with directions to the respondents to consider and decide the petitioner's representation dated 1st April, 2016 (*Annexure P-7*) within two weeks from today, under written intimation to him. The order shall be passed keeping in mind the directions issued in W.P.(C) 6286/2015, decided on

7th September, 2015, as also the observations made by the IG (Medical), RH, ITBP in the order dated 5th June, 2014, which is a part of office notings, relevant extract whereof has been enclosed as Annexure P-13 to the present petition.

HIMA KOHLI, J

SUNIL GAUR, J

MAY 02, 2016

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