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

+ W.P.(C) 4189/2016 & C.M. 17717/2016

HC BRIJESH KUMAR SHUKLA Petitioner

Through: Mr. Rakesh Dahiya, Advocate with
Petitioner-in-person

versus

UNION OF INDIA & ORS. Respondent

Through: Mr. C.M.Goyal, Advocate

CORAM:

HON'BLE MS. JUSTICE HIMA KOHLI

HON'BLE MR. JUSTICE SUNIL GAUR

ORDER

25.05.2016

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1. This order is in continuation of orders dated 11th May, 2016 and 18th May, 2016. On 18th May, 2016, the learned counsel for the respondents had stated that as per his instructions, there is no vacancy for the post of Head Constable (GD) in 95 Battalion located in Bhondsi, which is closer to NCT of Delhi but there is one vacancy existing in 32 Battalion, located at Hissar. However, he was not in a position to inform us as to whether there are adequate medical facilities available at Hissar to treat the petitioner's mentally retarded son.

2. Today, learned counsel for the respondents states that he has obtained instructions from the department on the aforesaid aspect and as per his instructions, the petitioner has remained posted in Delhi for a

period of nine years and is required to do field duty for at least two years, which cannot be undertaken if he is posted at Greater Noida or Chandigarh. He further states that the hospital at Hissar is equipped with adequate medical facilities to treat the petitioner's mentally retarded son.

3. At this stage, learned counsel for the petitioner states on instructions that the petitioner is willing to accept the offer made by the other side of posting him to 32 Battalion, at Hissar.

4. In view of the above, the impugned Movement order dated 1st April, 2016 is quashed and set aside. The respondents shall issue a fresh Movement order, posting the petitioner to 32 Battalion at Hissar, within one week.

5. The petition and the application are disposed of.

HIMA KOHLI, J

SUNIL GAUR, J

MAY 25, 2016

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