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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**  
+ W.P.(C) 4640/2016 & C.Ms. 19282-83/2016  
MANDEEP KUMAR JOON ..... Petitioner  
Through: Mr. Ankur Chhibber, Advocate

versus

UNION OF INDIA AND ORS. .... Respondent  
Through: Ms. Mansi Gupta & Ms. Archna  
Gaur, Advocates

**CORAM:**

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

**ORDER**  
**20.05.2016**

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1. The petitioner has filed the present petition assailing the Signal dated 11<sup>th</sup> May, 2016, whereunder he has been posted out of PDG to 195 Battalion at Chhattisgarh, prior to completion of his tenure.
2. Learned counsel for the respondents, who appears on advance notice, refers to the Standing Order No. 9/15 dated 22<sup>nd</sup> December, 2015 (*Annexure P-6*) to urge that the petitioner has neither offered a choice of posting at any soft/ choice locations, as laid down in Paras-7 thereof nor has he approached the respondents with a representation against his transfer, as required in Para-12 (a).
3. In the first instance, it has been inquired from learned counsel for the petitioner as to why has the petitioner approached this Court directly

when he ought to have first submitted a representation against the Signal dated 11<sup>th</sup> May, 2016, to the competent authority.

4. Learned counsel for the petitioner states that he will do so immediately.

6. In view of the aforesaid submission, the present petition and the applications are disposed of with liberty granted to the petitioner to represent against the Signal dated 11<sup>th</sup> May, 2016, to the competent authority within two days from today. On receipt of such a representation, the respondents shall consider and decide the same in accordance with the rules within one week and convey the decision taken to the petitioner. Till a decision is conveyed to the petitioner, the Signal dated 11<sup>th</sup> May, 2016, shall not be acted upon qua him. If the petitioner is aggrieved by the decision that may be taken by the respondents, then he shall be at liberty to seek his remedies, if so advised, in accordance with the law.

**HIMA KOHLI, J**

**SUNIL GAUR, J**

**MAY 20, 2016**

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