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

\+ W.P.(C) 4735/2016

HAV/CLK (SD) RAMBIR SINGH ..... Petitioner
Through: Mr. Abhishek Singh, Advocate

versus

UNION OF INDIA AND ORS. ..... Respondents
Through: Ms. Sangeeta Rai, Ms. Sunita Singh & Mr. Pradeep Singh Tomar, Advocates

CORAM:

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

O R D E R

% 27.05.2016

C.M. 21026/2016 (u/S 151 CPC)

1. The present application has been filed by the petitioner praying *inter alia* for directions to the respondents to revoke the Movement Order dated 23rd May, 2016, passed in pursuance to the transfer order dated 26th February, 2016, whereunder he has been transferred to 23 RR Battalion, Jammu and Kashmir.

2. It is pertinent to note that the present petition was listed on 23rd May, 2016, on which date counsel for the petitioner had sought time to obtain instructions from his client with regard to the number of members in his family, who would be available to attend to his ailing father. At his request, the case was adjourned to 14th July, 2016. In less than one week

from the date of the passing of the order dated 23rd May, 2016, the present application has been filed by the petitioner stating inter alia that he has received the Movement Order dated 23rd May, 2016, on the very next day i.e. on 24th May, 2016.

3. With the consent of the counsels for the parties, the main petition is taken up for hearing today itself.

4. The application is disposed of.

W.P.(C) 4735/2016 & C.M. 17983/2016

1. In view of the orders passed in C.M. 21026/2016, the date of 16th July, 2016, fixed in this petition is recalled and it is taken up for hearing today.

2. Learned counsel for the petitioner states that he has furnished the details of the family members of the petitioners in Para-6 of C.M. 21026/2016. A perusal thereof reveals that the petitioner's brother, aged 28 years, is working in a private sector and residing at Manesar.

3. Even if it is assumed that the petitioner's wife and mother are not in a position to attend to his ailing father, the petitioner's younger brother, who lives at Manesar, which is very close to Delhi, can certainly arrange to attend to his father's medical requirements.

4. In these facts and circumstances, we are not inclined to interfere with the impugned transfer order dated 26th February, 2016, or for that matter, the Movement Order dated 23rd May, 2016.

5. At this stage, learned counsel for the petitioner states that the petitioner may be granted some time to make arrangements for his father's medical treatment, before he joins his place of posting.

6. The respondents are directed to give the petitioner time upto 18th June, 2016, for reporting to his place of posting, in terms of the Movement Order dated 23rd May, 2016. In other words, the petitioner shall join his duty on 20th June, 2016.

7. With the aforesaid directions, the writ petition and the application are disposed of.

HIMA KOHLI, J

SUNIL GAUR, J

MAY 27, 2016
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