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

+ W.P.(C) 5386/2016 & CMs No.22449-50/2016

P.K. WADHWA

..... Petitioner

Through: Mr. Ramesh Kumar, Advocate.

versus

UNION OF INDIA & ORS.

..... Respondents

Through: Mr. A.K. Tiwari, Advocate for R-2-4.

CORAM:

HON'BLE MS. JUSTICE HIMA KOHLI

ORDER

01.06.2016

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1. The petitioner, who is working on the post of a Dy. Director (Administration) at the Headquarters of the respondent No.3, seeks quashing and setting aside of his transfer order dated 26.5.2016, whereunder he has been posted at Mohali, Phase-II, on the ground that the said transfer is biased and suffers from *mala fides*.

2. Learned counsel for the petitioner states that immediately on receipt of the impugned transfer order, the petitioner had submitted a detailed representation on the same date (Annexure P-13) setting out the grounds for seeking cancellation of the transfer order, including the serious medical condition of his wife. It is stated that without examining the said representation, the respondents proceeded to relieve him on 31.5.2016.

3. On enquiring from learned counsel for the respondents No.2 to 4 as to whether the petitioner's representation dated 26.5.2015 was considered by the respondents before relieving him from the Headquarters at Delhi, he concedes that no communication in writing has been sent to the petitioner on receiving the said representation.
4. In view of the aforesaid position, it is deemed appropriate to dispose of the present petition, while issuing directions to the respondents No.2 to 4 to consider the petitioner's representation dated 26.5.2016 (Annexure-P-13) and pass a speaking order thereon within one week from today.
5. Needless to state that if the petitioner is aggrieved by the decision that may be taken by the respondents, he shall be entitled to seek his remedies in accordance with law.
6. Till a decision is communicated by the respondents to the petitioner, no coercive steps shall be taken against him in terms of the impugned order dated 26.5.2016.
7. The writ petition is disposed of, along with pending applications.
8. ***DASTI*** to the learned counsels for the parties.

JUNE 01, 2016
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HIMA KOHLI, J