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

+ **W.P.(C) 9646/2016**

DHANRAJ MEENA

..... Petitioner

Through: Ms. Saahila Lamba, Adv.

versus

UNION OF INDIA AND ORS

..... Respondents

Through: Mr. T.P. Singh, Mr. Manoj Kaushik and
Mr. Sahaj Garg, ADvs. for Mr. Ripu Daman
Bhardwaj, CGSC for R1 to R3.

CORAM:

HON'BLE MS. JUSTICE INDIRA BANERJEE

HON'BLE MR. JUSTICE V. KAMESWAR RAO

ORDER

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19.10.2016

W.P.(C) 9646/2016

1. Notice.

2. Mr. T.P. Singh, Adv. accepts notice for respondent nos. 1 to 3.

3. This petition has been filed by the petitioner seeking a writ of certiorari quashing the movement order dated September 13, 2016 issued by the Commandant 25 Battalion, BSF posting the petitioner from the 25 Battalion, BSF, Chhawla Camp, New Delhi to the 8 Battalion at Bikaner, Rajasthan.

4. The services of the petitioner being transferrable there can be no

question of quashing of the movement order as prayed for. Ordinarily, this Court would not have interfered with the order of transfer. However, this case is exceptional. It appears that on 12th September, 2016, respondents passed an order granting permission to the petitioner for admission for “Excision of dysplastic bone and facial reconstruction” under general anaesthesia at BLK Super Speciality Hospital in New Delhi. The permission is to remain valid for a period of three months from the date of issuance of the order.

5. Having regard to the aforesaid permission, it is directed that the impugned movement order should be deferred for a period of three months from 12th September, 2016, i.e., 12th December, 2016.

6. It is made clear that after 12th December, 2016, the petitioner will join the post to which the petitioner has been transferred. The writ petition is disposed of accordingly.

CM No. 38573/2016 (for Stay)

Dismissed as infructuous.

INDIRA BANERJEE, J

V. KAMESWAR RAO, J

OCTOBER 19, 2016/jg