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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 8093/2015, CM No.16740/2015**

BALIJINDER SINGH ANAND Petitioner

Through: Mr. M.K.Bhardwaj, Adv.

versus

UNION OF INDIA & ANR Respondents

Through: Mr. Manish Mohan, CGSC with Ms. Manisha Saroha &
Mr. Priyansh Sinha, Adv. for R-1&2.

Ms. Amrita Prakash for Mr Mohit Bharadwaj, Adv.

CORAM:

HON'BLE MR. JUSTICE SANJIV KHANNA

HON'BLE MR. JUSTICE NAJMI WAZIRI

ORDER

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19.04.2016

We have heard counsel for the petitioner but are not inclined to interfere with the impugned order dated 7th August, 2015 whereby OA No.2257/2015 stands dismissed.

2. The petitioner had earlier challenged his transfer from Delhi to Raipur in OA No.1809/2015 which was dismissed vide order dated 29th May, 2015 recording that the post of Cipher Assistant was of operational nature and was required to be made to communication Centres in the Ministry of Home Affairs, Directorate of Coordination (Police Wireless). It was the department where high degree of secrecy was required to be maintained.

3. The petitioner was transferred to Delhi in the year 2006. Pursuant to the interim order passed by this Court in the present writ petition on 24th August, 2015, the petitioner has continued to be posted in Delhi till today.

4. While dismissing OA No.1809/2015, the petitioner was granted

liberty to make a representation to the respondents to re-consider his case.

5. The petitioner had thereafter made a representation dated 6.5.2015 but did not join at Raipur, the place of posting.

6. The representation has been dismissed vide letter/order dated 19th June, 2015. This order refers to different officers and distinguishes case of the petitioner. It stands highlighted that the petitioner has not suffered any discrimination.

7. In our opinion, the Tribunal has rightly referred to the earlier order dated 29th May, 2015 passed in OA No.1809/2015 and concludes that the petitioner should not be granted any relief.

8. In view of the aforesaid factual position and as the petitioner has remained posted in Delhi since 2006 till today, we do not find any merit in the present petition. Accordingly, the petition is dismissed.

9. At this stage, learned counsel for the petitioner, on instructions, states that the petitioner would join at Raipur and after some time in case he faces extreme difficulty because of his or his family member's medical condition, he would make a representation. Dismissal of the present writ petition will not bar consideration of any such representation by the petitioner.

SANJIV KHANNA, J

NAJMI WAZIRI, J

APRIL 19, 2016/ak