

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

Date of Order: December 07, 2017

+ **W.P.(C) 440/2016 & C.M.1751/2016**

MANISH KUMAR

AND

+ **W.P.(C) 444/2016 & C.M.1758/2016**

ROSY DHAWAN

.....Petitioners

Through: Mr. Ajit Warrier, Advocate

versus

BUREAU OF INDIAN STANDARDS & ANRRespondents

Through: Mr. B.K. Sood and Mr. Harish

Gaur, Advocates for respondent No.1

Mr. Dev P. Bhardwaj, CGSC for respondent-

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CORAM:

HON'BLE MR. JUSTICE SUNIL GAUR

ORDER

(ORAL)

1. In the above-captioned petitions, the challenge is to two Communications of 4th January, 2016 (*Annexure P-1*) vide which petitioner-*Manish Kumar* has been transferred from HRBO, Chandigarh to EROL, Kolkata and petitioner-*Rosy Dhawan* has been transferred from P&C Headquarters-New Delhi, to Head (RJBO), Rajkot, Gujarat.
2. While entertaining these petitions, it was directed that *status quo* in respect of impugned Communications be maintained.
3. Since the grounds to challenge the impugned communications in the above captioned two petitions are on similar lines, therefore, both

these petitions are taken up for hearing together and are being disposed of by this common order.

4. Learned counsel for first respondent submits that in light of the stand taken by petitioners in these two petitions, impugned Communications shall be re-considered.

5. In view of the aforesaid, both these petitions are disposed of with direction to first respondent to treat these petitions as Representations and to provide an opportunity of hearing to petitioners and thereafter, reconsider the impugned Communications (*Annexure P-1*) and if it is not so done, then the reasons for not doing so, be spelt out by first respondent within eight weeks and within two weeks thereafter, the outcome of these Representations be conveyed to petitioners, so that they may avail of the remedies as available in law, if need be. In the facts and circumstances of this case, till the outcome of the Representations is conveyed to petitioners, *status quo* in respect of impugned Communications, as ordered on 15th March, 2016, be maintained.

6. With aforesaid directions, both the petitions and the applications are disposed of.

7. Copy of this order be given *dasti* to counsels for both the sides.

(SUNIL GAUR)
JUDGE

DECEMBER 07, 2017

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