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

+ W.P.(C) 6464/2016 & CM No.26503/2016 (stay)

RAJVIR SINGH Petitioner
Through Ms.Saahila Lamba, Adv.

versus

UNION OF INDIA AND ORS Respondents
Through Mr.Jaswinder Singh, Adv.

CORAM:

HON'BLE MS. JUSTICE INDIRA BANERJEE

HON'BLE MR. JUSTICE ANIL KUMAR CHAWLA

ORDER

% **30.03.2017**

In this writ petition, the petitioner has challenged an order of movement inter alia on the ground that the movement is in contravention of BSF (Tenure of Posting and Deputation) Rules 2000.

Counsel appearing on behalf of the petitioner submits that tenure has been defined in Rule 2 (g) of the said Rules to mean the period specified for service in a unit/institution/establishment of the force.

Static formation has been defined in Rule 2 (h) to mean the institution/establishment/unit, which are static and declared static. Rule 5(1) provides that posting to static formation shall be for a period of three years only and thereafter, the members of the force shall revert to his parent department. In the case however, of members of the force belonging to the ministerial cadre, the tenure is to be four years.

We need not go into the issue whether the aforesaid rule is mandatory or directory. We find that the petitioner has been in static locations for ten

years. He cannot oppose the movement order.

The writ petition is therefore dismissed.

INDIRA BANERJEE, J

ANIL KUMAR CHAWLA, J

MARCH 30, 2017/vp