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

+ W.P.(C) 5241/2017

DILIP SINGH

..... Petitioner

Through Mr. Badar Mahmood, Advocate

versus

BORDER SECURITY FORCE & ANR.

..... Respondents

Through Ms. Suman Chauhan, Advocate

CORAM:

HON'BLE MR. JUSTICE G.S.SISTANI

HON'BLE MR. JUSTICE VINOD GOEL

ORDER

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07.06.2017

C.M. No.22260/2017 (Exemption)

Exemption allowed, subject to all just exceptions.

Application stands disposed of.

W.P. (C) No.5241/2017 & C.M. No.22261/2017 (Stay)

By this writ petition, the petitioner has challenged his transfer letter dated 05.04.2017 issued by the Office of the 25th Bn. Border Security Force, Chhawla Camp, New Delhi, by which he was transferred from Delhi to Gujarat.

The petitioner submits that he has informed the respondents that his son is mentally challenged and there is no school for special children at the place of his posting in Gujarat and also that he may not be able to get the treatment of his son.

Another grievance of the petitioner is that his request for Voluntary Retirement has been declined by the respondents.

Learned counsel for the respondents, who enters appearance on an advance copy, submits that the petitioner prayed that the order of transfer may be deferred, when the same was issued in the month of April, 2017, and

extension was granted to the petitioner on account of the academic session of his child, which fact has been concealed from this Court. Additionally, learned counsel submits that the petitioner has not made any representation to the appropriate Authority post the transfer letter dated 05.04.2017. It is also pointed out that no application for Voluntary Retirement has been made by the petitioner, which fact is also admitted by him.

At this stage, learned counsel for the petitioner seeks leave to withdraw this petition to enable him to make an appropriate representation to the respondents with liberty to approach this Court in case his grievance is not addressed.

Accordingly, the present petition along with pending application stands dismissed as withdrawn. Liberty as prayed for is granted.

G.S.SISTANI, J
(VACATION JUDGE)

VINOD GOEL, J
(VACATION JUDGE)

JUNE 07, 2017
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