

HON'BLE SRI JUSTICE S.V. BHATT

W.P. No.29924 OF 2017

ORDER:

Heard Mr.Sikanth for petitioner and Mr.Rajeshwar Rao for respondent Nos. 1 to 3.

The petitioner prays for deferment of transfer/posting order by one year with effect from July, 2017. The petitioner by referring to the ill-health of petitioner's father requested deferment of posting/transfer order.

Third respondent through communication dated 19.07.2017 turned down the request by referring to the deficiencies in the documents forwarded by petitioner. The communication dated 19.07.2017 resulted in issuing the proceedings impugned in the writ petition.

Mr.Sikanth keeping in view the scope of judicial review limited his submissions to granting deferment till the end of July, 2018. Mr.Rajeshwar Rao contends that this Court ought not to be sitting in the armed chair of either 3rd or 4th respondents and decide the organizational needs. According to him, in cases like this, there is hardly any scope for judicial review and writ petition is liable to be dismissed.

Mr.Sikanth alternatively submits that if one month time is granted to petitioner, he will report at Ambala. On instructions, Mr.Rajeshwar Rao submits if undertaking letter is filed before 3rd and 4th respondents, the joining time of one month from today is granted as exceptional case. The statement is placed on record

and accepted. The writ petition is disposed of by granting liberty to petitioner to file letter of undertaking to report at Ambala within 30 days from today. On such letter being filed by petitioner this Court has no reason to doubt that orders as necessary are passed.

Miscellaneous petitions pending, if any, shall stand closed.

S.V.BHATT, J

Date: 18.04.2018
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