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

+ W.P.(C) 448/2018 & C.M. No. 1913/2018 (stay)

CDR ROHIT MEHRA (0369W)

..... Petitioner

Through: Mr. Romy Chacko and
Mr. Shakti Chand, Advocates.

versus

UNION OF INDIA AND ORS.

..... Respondents

Through: Ms. Barkha Babbar and
Ms. Dipanjali Tyagi, Advocates.

CORAM:

HON'BLE MS. JUSTICE HIMA KOHLI

HON'BLE MS. JUSTICE PRATIBHA RANI

ORDER

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06.03.2018

1. Learned counsel for the petitioner states that he has filed an affidavit placing on record the medical documents pertaining to the petitioner's son, who is differently abled.
2. Ms. Babbar, learned counsel for the respondents hands over a set of documents including the brief of the case filed by the petitioner and the policy dated 22.8.2013 relating to transfer of Officers and Sailors having differently abled dependents. Learned counsel submits that the said policy lays down the guidelines for seeking transfer on the ground that they have special/differently abled children.
3. On enquiring from learned counsel for the petitioner as to whether the procedure prescribed in the Policy dated 22.8.2013 has been followed by the

petitioner before approaching the Court for relief, Mr. Chacko, learned counsel for the petitioner fairly states that the said policy was not to his knowledge and now that a copy of the said policy has been furnished to him along with other connected documents, he may be permitted to withdraw the present petition, while reserving the right of the petitioner to file an application before the competent authority for assignment of a specific station where medical treatment relating to his differently abled child is readily available.

4. The present petition is disposed of, with liberty granted to the petitioner to approach the respondents by filing a representation, invoking the policy referred to above.

5. Learned counsel for the petitioner states that a representation shall be submitted to the respondents along with relevant documents within one week. The Respondent is directed to consider the same and pass a speaking order, under written intimation to the petitioner within two weeks therefrom.

6. In the event, the grievance of the petitioner still survives, he is entitled to seek legal recourse, in accordance with law.

7. The respondents shall stay their hands with regard to the transfer order passed in respect of the petitioner for a period of four weeks reckoned from today.

HIMA KOHLI, J

PRATIBHA RANI, J

MARCH 06, 2018

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