

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

Date of Order: February 12, 2018

+ W.P.(C) 1307/2018 & CM Nos.5414-15/2018

SHRI MAHENDRA SINGH RANA Petitioner

Through: Mr. P.S. Bindra &
Ms. Rishika Arora, Advocates

Versus

DISTRICT AND SESSION JUDGE (HEAD QUARTERS) AND
ANR. Respondents

Through: Mrs. Avnish Ahlawat, Standing
Counsel (Civil) & Mr. Nitesh Kumar, Advocate
for respondents No.1 & 2

CORAM:

HON'BLE MR. JUSTICE SUNIL GAUR

ORDER
(ORAL)

1. Vide order of 6th February, 2018 (*Annexure P-1*), petitioner has been transferred from Library Branch, Central District, Saket Courts, New Delhi to work as Reader in the Court of concerned Metropolitan Magistrate. According to petitioner's counsel, the said transfer of petitioner is infact his demotion.

2. It is brought to the notice of this Court by learned counsel for respondents that petitioner had vide letter of 22nd November, 2017 sought

transfer to the nearby complex, so that he has sufficient time to defend himself in the court proceedings.

3. Instead of approaching this Court, petitioner ought to have made a Representation against impugned order of 6th February, 2018 (*Annexure P-1*) to first respondent. At this stage, petitioner's counsel submits that such Representation would be filed within three days and till petitioner's Representation is decided, impugned order of 6th February, 2018 (*Annexure P-1*) be kept in abeyance.

4. Petitioner is permitted to file a Representation against impugned order of 6th February, 2018 (*Annexure P-1*) within three days but the prayer for interim relief is declined because petitioner himself had sought transfer. If any Representation is received by first respondent against impugned order of 6th February, 2018 (*Annexure P-1*), then it be considered and decided within ten days and its fate be communicated to petitioner within a week thereafter, so that petitioner may avail of the remedy as available in law, if need be.

5. With aforesaid directions, this petition is disposed of. Pending applications are disposed of as infructuous.

(SUNIL GAUR)
JUDGE

FEBRUARY 12, 2018

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