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

+ W.P.(C) 7981/2018 and CM APPL. 30603/2018 (stay)

CHM NAINA KATHAT Petitioner
Through: Major K. Ramesh, Advocate.

versus

UNION OF INDIA AND ORS. Respondents
Through: Mr. Kirtiman Singh, CGSC with
Mr. Vikramaditya Singh, Mr. Prateep Dhanda and
Mr. Waize Ali Noor, Advocates.

CORAM:

HON'BLE MS. JUSTICE HIMA KOHLI

HON'BLE MS. JUSTICE REKHA PALLI

ORDER

% **16.08.2018**

1. On the first date of hearing i.e., on 01.8.2018, learned counsel for the respondents was directed to obtain instructions from the Department with regard to the fate of the petitioner's pending representation dated 06.06.2018, for a last leg posting, as per three choices of posting suggested by him.

2. On the next date of hearing, i.e., on 06.08.2018, learned counsel for the respondents had obtained instructions from the Department to the effect that the petitioner's request was duly considered and a reply had been given on 06.07.2018, declining the said request for a last leg posting. Further, learned counsel for the respondents had referred to the internal guidelines which prescribe that posting to Extra Regimental Employment (ERE) units should not be done in respect of the personnel who are due for retirement

during the tenure of their rank. On being furnished the said documents, learned counsel for the petitioner had sought time to peruse the aforesaid documents before making her submissions.

3. Today, learned counsel for the petitioner seeks to address arguments on the merits of the order dated 06.07.2018, issued by the respondents, which has in any case, not been challenged in the present petition.

4. Learned counsel for the respondents points out that the order dated 06.07.2018 has been issued by the Authorities at Pune, where the petitioner was then posted. We are informed that the petitioner is presently posted at Ambala.

5. This being the position, the present petition is disposed of alongwith the pending application, with liberty granted to the petitioner to seek legal recourse against the order dated 06.07.2018, before the competent court vested with territorial jurisdiction in that regard.

HIMA KOHLI, J

REKHA PALLI, J

AUGUST 16, 2018

na/ap