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

+ **W.P.(C) 10069/2018 and C.M.No.39257/2018**

SI/PH. BIKRAM JIT SINGH

..... Petitioner

Through: Mr.Ankur Chhibber, Advocate.

versus

UNION OF INDIA AND ORS.

..... Respondents

Through: Mr.Rajesh Kumar and Ms.Santwana,
Advocates.

CORAM:

JUSTICE S.MURALIDHAR

JUSTICE SANJEEV NARULA

ORDER

% **06.12.2018**

1. On the previous date of hearing, the following order was passed:-

"1. On the last date of hearing, learned counsel for the respondents had sought time to obtain instructions from the Department for explaining the urgency for transferring the petitioner, who is working on the post of an Inspector/Pharmacist in the BSF, for posting him to STC Hospital, BSF Kashmir, when as per the petitioner, they have retained three officers in Delhi, in terms of the impugned Signal dated 30.5.2018 [Annexure-P-l (colly)].

2. Today, learned counsel for the respondents states he has obtained instructions in respect of one of the officers, namely, Mr. Pallab Goswami. He stated that he needs time to obtain instructions in respect of the remaining two officers mentioned at Sr. No.29 and 30 of the said Signal dated 30.5.2018.

3. While obtaining instructions in respect of the aforesaid officers, learned counsel for the respondents shall also obtain instructions from the Department as to the nature of the administrative exigency that had weighed the department for transferring the petitioner, particularly, when they have a Circular that declares that "Officers with school-going children or whose children are to appear in Board Examinations (12" Std) may not be disturbed in middle of the academic session". In the present case, the petitioner has a son, who has to appear in the class 12 Board examinations in March, 2019.

4. List on 06.12.2018.

5. Till the next date of hearing, the respondents shall not take any coercive steps against the petitioner, in terms of the impugned Movement Order dated 18.9.2018”.

2. Learned counsel for the Petitioner states that the Petitioner will join his posting at J&K positively by 30th April, 2019.

3. In that view of the matter, the interim order passed by this Court will continue till 30th April, 2019.

4. The petition and application are disposed of in the above terms.

S. MURALIDHAR, J.

SANJEEV NARULA, J.

DECEMBER 06, 2018

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