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

+ **W.P.(C) 10333/2017 & CM Appl.No. 42129/2017 & 1430/2018**

KANHAIYA KUMAR SINGH

..... Petitioner

Through Mr.R.K.Singh & Mr. Santosh Pandey,
Advocates

versus

UNION OF INDIA AND ORS.

..... Respondents

Through Mr. Vivekanand Mishra, Mr. Vipul
Aggarwal, Advocates for Respondent/
UOI with Mr. G.C.Kundu, ACC,
CISF

CORAM:

JUSTICE S.MURALIDHAR

JUSTICE SANJEEV NARULA

ORDER

22.11.2018

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1. The Petitioner has approached this Court questioning a posting order dated 16th November, 2017 whereby he has been posted from CISF, DC Office Rajiv Chowk, New Delhi to CISF Unit, THDC, Tehri.
2. When this petition was first heard on 21st November, 2017 the Court was informed that certain disciplinary proceedings were pending against the Petitioner in Delhi and therefore his presence here was required. The case of the Petitioner was that it could be difficult, if he joined at the THDC unit at Tehri, to defend himself in the disciplinary proceedings in Delhi. In those circumstances, the impugned posting order was stayed by this Court by the order dated 21st November, 2017.
3. Today the factual position is that the disciplinary proceedings have been concluded. The disciplinary authority has agreed with the Inquiry Officer

that the three charges against the Petitioner stand proved.

4. The further development is against the order dated 24th July, 2018 of the disciplinary authority awarding the punishment of “paying fine equal to seven days pay,” the Petitioner filed an appeal which has been rejected by the Appellate Authority i.e. Deputy Inspector General, CISF unit, DMRC Delhi by an order dated 21st November, 2018. A copy of the said order has been handed over to counsel for the Petitioner.

5. The Court therefore sees no reason why the Petitioner should continue to insist on remaining in Delhi. Counsel for the Petitioner then points out that four other persons whose names are mentioned in the petition continue to remain in Delhi.

6. As far as the Petitioner is concerned, it is entirely up to the Respondents for administrative reasons to post him to another station particularly since he has completed more than three years in his present posting.

7. The Court is unable to find any grounds to interfere with the such posting order.

8. The petition as well as the pending applications are accordingly dismissed.

S. MURALIDHAR, J.

SANJEEV NARULA, J.

NOVEMBER 22, 2018

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