

\$~48

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

+ **W.P.(C) 1434/2019 & CM APPL. 6571/2019**

HUSSAINMUEEN FAROOQ

..... Petitioner

Through: Mr. A.K. Singh with Mr. Ajeet
Kumar Sharma & Mohd. Kamran
Khan, Advs.

versus

UNION OF INDIA & ORS.

..... Respondents

Through: Mr. Ajay Digpaul, CGSC for R-1 &
4.
Mr. Ripu Daman Bhardwaj, SPP for
R-3/CBI.

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE V. KAMESWAR RAO

ORDER

%

12.02.2019

CM APPL. 6571/2019 (*exemption*)

Allowed, subject to just exceptions.

W.P.(C) 1434/2019

1. Petitioner has filed this writ petition in public interest and the prayer made in the writ petition reads as under:

“i. Directing the Respondent No.1 and 4 to file status report in respect of the transfer orders passed by the respondent no. 3 vide office Order No. 127/2019 against the respondent no. 2 and various other subordinate officers of CBI and further, calling for the status report/action taken report in respect of complaints made by respondent no. 2 dated 11.03.2017 and

02.05.2017 against the respondent No.3;

ii. And to pass any other further order which this Hon'ble Court deems fit and proper in the interest of justice and public of the country."

2. The grievance of the petitioner is that vide order in question bearing No.127/2019 certain transfers have been effected by respondent No.3, particularly in the case of respondent No.2 and various other individuals and seeking quashing of the transfer orders, this petition in public interest has been filed.

3. In the matter of transfer of individuals, a service matter, we are not inclined to enter into the controversy in a Public Interest Litigation at the instance of the petitioner and exercise jurisdiction under Article 226 of the Constitution, particularly, when we find that respondent No.2 as per petitioner's own showing has approached the Central Administrative Tribunal challenging his transfer to the CBI Academy and he being the aggrieved person having already invoked the jurisdiction of a competent court, now again, at the instance of the petitioner with regard to these transfers, we are not inclined to interfere into the matter.

4. The writ petition is dismissed.

CHIEF JUSTICE

V. KAMESWAR RAO, J

FEBRUARY 12, 2019

kks