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

+ **W.P.(C) 6795/2019 & CM APPL. 28443/2019 (stay)**

INSPECTOR RAM LAL KASWAN

..... Petitioner

Through: Mr. Mohit, Advocate

versus

UNION OF INDIA & ORS

..... Respondents

Through: Mr. Jagjit Singh, Sr. Standing
Counsel for Railways with Mr. Vipin
Choudhary, Advocate for Railways

CORAM:

JUSTICE S.MURALIDHAR

JUSTICE TALWANT SINGH

ORDER

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24.10.2019

1. The Petitioner who is currently working as IPF, Inspector Force (E) with the Railway Protection Special Force in the 6th Battalion has approached this Court questioning a Battalion order No. 64/2019 dated 8th June, 2019 transferring him from his present posting at New Delhi to the 4th Battalion in New Jalpaiguri.

2. According to the Petitioner, the transfer order is in violation of Directive (32) (revised), dated 28th December, 2017 issued by the Ministry of Railways. Counsel for the Petitioner further states that the Petitioner was facing some internal vigilance enquiry as a result of which he has been transferred.

3. The attention of the Court has been drawn to para 2 of the Directive (32)

(revised) which talks of “period of tenure” of RPF/RPSF personnel. Clause (viii) states that the tenure period for male members of RPSF for inter-Battalion transfer would be 10 years and 5 years on request.

4. However, as pointed out by learned counsel for the Respondents, the above tenure period refers to the maximum period for which an RPSF personnel can remain at one station. It does not refer to the minimum period of such posting.

5. As far as the Petitioner is concerned, on his own showing he has remained in Delhi since his promotion as Sub Inspector from 5th December, 2013 onwards i.e. for 6 years now. As far as the Petitioner's plea that the transfer was only because of internal vigilance enquiry is concerned, the perusal of the impugned order reveals that it is a transfer simpliciter on administrative grounds. There no reference in the said order to any other reason.

6. The Court is not impressed with any of the grounds urged in the writ petition by the Petitioner to resist his transfer. The interim order stands vacated. The writ petition is dismissed. The pending application is also disposed of.

S. MURALIDHAR, J.

TALWANT SINGH, J.

OCTOBER 24, 2019

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