

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

Civil Application (CAW) No.189 of 2021
With
Civil Application (CAW) No.190 of 2021
In
Writ Petition No.2617/2020

Amit s/o Kumar, Assistant Sub Inspector in CRPF and
another ...Petitioners

Versus

Directorate General of Police, Central Reserve Police
Force, New Delhi and others ...Respondents

Shri Raju Kadu, Advocate for the Petitioners
Shri U. Aurangabadkar, ASGI for Respondent-Union of India

**CORAM : NITIN JAMDAR AND
ANIL S. KILOR, JJ.**

DATED : 04 FEBRUARY 2021

P.C.:

Heard learned Counsel for the parties.

2. The Petitioner No.1, who is serving as an Assistant Sub-Inspector in the Central Reserve Police Force was posted at Nagpur in the year 2016. Four years thereafter, the Petitioner No.1 has been transferred to join at the 13 Battalion Post in Assam.

3. The Petitioners have filed this Petition on the ground that Office Memorandum issued by the Ministry of Personnel and Public Grievances and Pensions (Department of Personnel and Training) states that as far as possible posting of husband and wife should be at the same place. It is not demonstrated whether this Office Memorandum will apply to the Para Military Forces.

4. When the Petition came up before this Court on 13 August 2020, while issuing notice, the Division Bench directed the Respondents to take a decision on the representation of the Petitioner No.1 and that till the decision is taken, the Petitioner No.1 was not be disturbed from his present posting.

5. An application is filed by the Respondents for vacating this order contending that the Petitioner No.1 needs to join his duties at his transferred place. It is also contended by the Respondents that if a member of the Para Military Forces does not join, it will affect the discipline required to maintained.

6. As far as the grievance of the Petitioners on personal count is concerned, a representation was made and the same has been rejected. We do not find that the Petitioner No.1 has any further right.

7. The learned counsel or the Petitioners states that after the Petitioner No.1 joins, the Petitioner No.2, the wife of Petitioner No.1, should also be transferred to Assam. This is not a relief prayed for in this Petition. It is always open to the Petitioners to make this representation

and the Respondents to deal with the same depending on as it's transfer policy and the exigencies of service.

8. The Writ Petition is accordingly disposed of, consequently both the Civil Applications are disposed of.

[ANIL S. KILOR, J.]

[NITIN JAMDAR, J.]