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

+ W.P.(C) 13364/2021 & CM APPLs. 42120-121/2021

VIJAY SINGH

..... Petitioner

Through: Mr. K.K.Sharma, Advocate.

versus

UNION OF INDIA & ORS.

..... Respondents

Through: Mr.Vivekanand Mishra, Advocate.

Date of Decision: 26th November, 2021

CORAM:

HON'BLE MR. JUSTICE MANMOHAN

HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

26.11.2021

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Present writ petition has been filed challenging the movement order dated 18th November, 2019 issued by Respondent No.3 directing the Petitioner to join 90 Bn, Anantnag, J&K on or before 8th December, 2021 as well as signal dated 15th November, 2021 issued by Respondent No. 4 rejecting the Petitioner's representation dated 16th September, 2021 and transfer order dated 31st August, 2021 issued by Respondent No. 3. Petitioner also seeks directions to the Respondents to consider the request of the Petitioner to stay his transfer and extend his stay at 103 Bn. CRPF RAF for one year.

Learned counsel for the petitioner states that the Petitioner seeks the stay of transfer on account of ongoing IVF treatment of his five months' pregnant wife at IVF fertility and IVF Centre, Patel Nagar, Delhi as the

Petitioner's wife has conceived for the first time after 9-10 years of constant effort after the solemnization of their marriage on 15th June, 2012.

He states that both his parents had passed away when he was young and there is no one to take care of his wife, who needs constant care and regular checkups at the clinic as her treatment is still going on.

Having perused the paper book, this Court finds that though there were initial difficulties in the couple having a child, yet the petitioner's wife is now pregnant and is in good health. The petitioner has just completed four years and six months tenure in Delhi and in routine is bound to be transferred outside Delhi. Further, as the petitioner belongs to a central paramilitary force, he is in routine to be posted all over the country. It is settled law that transfer is an exigency of service. This Court in the present case finds no grave reason to interfere with the movement/transfer order passed by the respondents.

Accordingly, the present writ petition along with pending applications is dismissed.

MANMOHAN, J

NAVIN CHAWLA, J

NOVEMBER 26, 2021
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