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

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Date of decision: August 4, 2022

+ W.P.(C) 6807/2022, CM APPL.20665/2022 (stay), 34056/2022 (direction) & 34057/2022 (stay)

SUNIL CHOUDHARY Petitioner
Through: Mr. Abhay K. Bhargava and Mr.
Satyaarth B. Sinha, Advocates.

versus

UNION OF INDIA AND ORS Respondents
Through: Ms. Nidhi Raman, CGSC with Mr.
Zubin Singh, Advocate for UOI.

CORAM:
HON'BLE MR. JUSTICE SURESH KUMAR KAIT
HON'BLE MR. JUSTICE SAURABH BANERJEE

J U D G M E N T (oral)

1. This writ petition has been preferred under Article 226 of the Constitution of India seeking direction to call for records of the impugned order dated 08.04.2022 passed by the IG, Medical, R.K Puram, New Delhi, CRPF and the impugned communication dated 06.04.2022 issued by the IG of the CRPF and quashing the same.
2. Initially, the transfer order dated 01.03.2021 was issued by the respondents transferring the petitioner from 187 BN CRPF to 139 BN CRPF and thereafter the same was cancelled vide order dated 08.04.2022. Being aggrieved, the petitioner challenged the said order in the present petition.
3. Vide order dated 29.04.2022, notice was issued and the learned



counsel for the respondents sought time to file the counter affidavit.

4. Meanwhile, the respondents further cancelled the order dated 08.04.2022 and passed a fresh transfer order dated 21.07.2022 and transferred the petitioner from 187 BN. CRPF to 227 BN. CRPF.

5. Learned counsel appearing on behalf of the petitioner submits that during the pendency of the present petition respondents have again issued a fresh transfer order dated 21.07.2022 without seeking any permission from this Court.

6. Since the transfer order dated 08.04.2022 has been cancelled by the respondents and the fresh transfer order dated 21.07.2022 is not under challenge in this petition, we hereby dispose of the present petition by giving liberty to the petitioner to file a fresh petition within two weeks from today. Till then the respondents are directed not to give effect to the order dated 21.07.2022.

7. Needless to say in case of non challenge of the order dated 21.07.2022 by the petitioner within two weeks, the interim protection given to him by this Court shall stand automatically vacated.

8. Petition along with the pending applications is accordingly disposed of.

(SURESH KUMAR KAIT)
JUDGE

(SAURABH BANERJEE)
JUDGE

AUGUST 4, 2022/So