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

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Date of decision: 22.09.2022

+ W.P.(C) 9052/2019 & CM APPL. 37386/2019

SANJAY KUMAR

..... Petitioner

Through: Mr. Himanshu Kaushik, Advocate

versus

UNION OF INDIA AND ANR.

.... Respondents

Through: None

CORAM:

HON'BLE MR. JUSTICE SURESH KUMAR KAIT

HON'BLE MR. JUSTICE SAURABH BANERJEE

J U D G M E N T (oral)

1. Vide the present petition, the petitioner is seeking quashing of the impugned movement order dated 02.08.2019 passed by the respondent and its consequential orders etc.; directions to the respondents to provide any sedentary job permanently to the petitioner as recommended by the chief medical superintendent vide his letter dated 17.03.2004; stay of the operation of impugned movement order dated 02.08.2019, till the pendency of present writ petition.
2. Vide order dated 21.08.2019, the respondents were directed to disclose as to which are the sedentary jobs, one of which could be assigned to the petitioner keeping in view his present physical and medical condition. They were further directed that in the meantime, petitioner may be assigned duties of the same kind as he was performing in his previous posting.



3. Pursuant to the aforesaid order, the Divisional Personnel Officer/Admin DRM Office, New Delhi passed order dated 22.10.2019 whereby it was clarified that only two options are available in GP-1800 which are as follows:

- i. House Keeping Assistant (Comm.)
- ii. Office Khalasi (HQ approval required)

4. Learned counsel for the petitioner, on instructions, submits that the respondents may be directed to post the petitioner as Office Khalasi for which approval from Head Quarter is required.

5. Keeping in view the medical condition of the petitioner and the Communication dated 22.10.2019, we hereby direct the respondents to depute the petitioner as Office Khalasi within four weeks from today after taking approval from the Head Quarter.

6. In view of above, present petition is disposed of.

7. Pending application also stands disposed of.

(SURESH KUMAR KAIT)
JUDGE

(SAURABH BANERJEE)
JUDGE

SEPTEMBER 22, 2022/rk