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

% ***Date of decision: 20.10.2022***

+ **W.P.(C) 14852/2022 & CM APPL. 45672-45673/2022**

JAI NARAYAN PRASAD Petitioner

Through: **Mr. Tapas Das, Advocate**

versus

UNION OF INDIA & ORS. Respondents

Through: **Mr. Nitinja Chaudhry, Sr. Panel
Counsel with Mr. Deepak Kumar,
Advocate and Mr. Ram Niwas,
Subedar, BRO**

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 writ petition, the petitioner seeks following relief(s):

- “a) issue necessary direction to the Respondents not to post out the petitioner prematurely and allowing the Petitioner to complete the two years tenure at Project Dantak at Bhutan since the posting order issued by GREF Records vide posting Order No.063/BCA/Out/Group –II/ JEM/FA5 dated 03.09.2022 is arbitrary and perverse;*
- b) quash / set aside the posting Order No. 063/BCA/Out/Group-II/ JEM/ FA5 dated 03.09.2022;*
- c) issue any other or further orders or directions to Chief Engineer Project Dantak at Bhutan not to move out the petitioner from present place of posting at Bhutan till the final disposal of the instant case;*
- d) pass any other or further orders or directions in favour of the petitioner and against the respondents as this Hon'ble Court may deem fit and proper.”*

2. Learned counsel for the petitioner submits that for the aforesaid relief(s), the petitioner has already made representation dated 27.09.2022, however, till date the said representation has not been decided by the respondents.
3. Learned counsel for respondents who is appearing on advance notice, submits that the respondents shall consider the present petition as representation filed by the petitioner and shall decide the same within three weeks.
4. In view of above, we hereby direct the respondents to treat the present petition as representation filed by the petitioner, decide the same within three weeks from today and communicate the decision thereof to the petitioner within one week thereafter.
5. Needless to say, if the petitioner feels aggrieved by the decision taken on the representation, the petitioner may challenge the same before the appropriate forum.
6. Till the representation is decided by the respondents, the transfer order dated 03.09.2022 shall not be given effect to.
7. With the aforesaid directions, the present petition and pending applications stand disposed of.

(SURESH KUMAR KAIT)
JUDGE

(SAURABH BANERJEE)
JUDGE

OCTOBER 20, 2022/rk

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