

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

4 WRIT PETITION NO.9211 OF 2023

PAPPU DAYAL MEENA S/O PRABHAT RAM MEENA
VERSUS
UNION OF INDIA THR SECRETARY AND OTHERS

Mr.V.P.Bakal, Advocate for the Petitioner.
Mr.Bhushan Kulkarni, Advocate for Respondent Nos. 1 to 5.

(CORAM : RAVINDRA V. GHUGE AND
Y. G. KHOBRAGADE, JJ.)

DATE : NOVEMBER 6, 2023

PER COURT :

1. This matter was heard extensively on 04.11.2023, which was a working Saturday. Due to paucity of time, the matter was posted for dictation of orders, today.

2. The learned Advocate for the Petitioner submits on instructions from the Petitioner, who is present in the Court that he would respect and honour the impugned order of transfer and would join at the place of transfer at 10th Reserve Battalion, Bengaluru. He points out the clauses of the guidelines for posting/transfer of CISF personnel, Circular No.22 of 2017 dated 25.09.2017, issued by the

Directorate General, Central Industrial Security Force (Ministry of Home Affairs), New Delhi, more particularly, clause 12(d), which would indicate that the 4th tenure of the employee (remaining service) should be in the home sector. He points out that he has already completed his first 3 tenures strictly as per clause 12. He then points out clause 13(i) to indicate his home sector, which is the North Sector.

3. In view of the above, he submits that he has 5 years to go for his retirement. He is willing to join the place of transfer as set out in the impugned transfer order dated 27.07.2023 for a period of one year. He prays that after 31.10.2024, he may be transferred under rule 12(d) in the North Sector. The Petitioner is on leave till 14.11.2023 as per the instructions given to the learned Standing Counsel. As such, he would join at the place of transfer at Bengaluru on 15.11.2023.

4. The learned Standing Counsel for the Union of India submits on instructions from the Department Commandant / CASO, CISF Unit, ASG, Aurangabad, who is present in the Court that there would be no difficulty, if all things are normal, to move the Petitioner by 31.10.2024 to the home sector. While doing so, available vacancies

and administrative exigencies would be assessed and by considering these factors, the Petitioner would be considered for a transfer w.e.f. 01.11.2024 in the home sector. He further clarifies that unless there is any situation beyond the control of the department, or on account of exceptional reasons, the Petitioner can join the home sector as per the transfer order that would be issued w.e.f. 01.11.2024.

5. In view of the above, **this Petition is disposed off.**

(Y. G. KHOBRAGADE, J.)

(RAVINDRA V. GHUGE, J.)