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

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Date of decision: 28.03.2023

+ W.P.(C) 3730/2023 & CM APPL. 14442/2023

CONST KAMAL SARKAR

..... Petitioner

Through: Mr.Rakesh Dahiya, Advocate.

Versus

UNION OF INDIA THROUGH ITS SECRETARY

MINISTRY OF HOME

..... Respondent

Through: Mr.Vivekanand Mishra, SPC for UOI.
Mr.M.Raja Khan, Comdt. Law BSF.
Sh.Hemandra Singh, DC (LAW)
BSF.
Mr.Deepak Tanwar (GP) &
Mr.Hitesh Batra & Mr.Sagar Shresht,
Advocates for UOI.

CORAM:

HON'BLE MR. JUSTICE SURESH KUMAR KAIT

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

J U D G M E N T (oral)

1. Present petition has been filed seeking directions to the respondents to transfer/post the petitioner to 25th Battalion, BSF, Chawla Delhi for atleast three years.
2. Pursuant to order dated 24.03.2023, learned counsel appearing on behalf of the respondents submits that petitioner made representation to

transfer him to the 25th Battalion so that he can follow up the treatment and medical check up at AIIMS, New Delhi, however, in the representation, the medical documents filed by the petitioner were insufficient. Therefore, his representation was rejected by submitting that medical documents are not sufficient to allow his representation.

3. Accordingly, we hereby dispose of the present petition by giving liberty to the petitioner to file a fresh representation to the respondents along with all medical documents and on receipt of the same, respondents are directed to consider and pass appropriate order within four weeks.

4. Present petition as well as pending application, if any, stand disposed of.

5. Needless to say that if the petitioner is still aggrieved by the decision of the respondents, he may challenge the same before the appropriate Forum.

(SURESH KUMAR KAIT)
JUDGE

(NEENA BANSAL KRISHNA)
JUDGE

MARCH 28, 2023/ab