

\$~1

* IN THE HIGH COURT OF DELHI AT NEW DELHI

% Date of decision: 13th April, 2023

+ W.P.(C) 3921/2023 & CM APPL. 15277/2023

RAJENDRA KUMAR

..... Petitioner

Through: Mr. Ankur Chhibber,
Advocate.

versus

UNION OF INDIA AND ORS.

..... Respondents

Through: Mr. Tanvir Ahmed Ansari, Sr.
Panel Counsel & Mr. Tarveen
Singh Nanda, Govt. Pleader 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. *Vide* the present petitioner, the petitioner is seeking following reliefs:

“a.) Issue a Writ of Certiorari for quashing of the order dated 02.03.2023 and Signal dated 03.03.2023 whereby the Respondents have rejected the representation(s) of the Petitioner seeking continuance at the current place of posting, in view of his problems at the domestic end and of the order dated 09.02.2023 to the extent whereby the Petitioner has been posted out from 139 Bn, New Delhi to 117 Bn, Srinagar and will stand relieved from 01.04.2023;

b) Issue a Writ of Mandamus directing the Respondents to allow the Petitioner to continue at his erstwhile place of posting, being 137 Bn, New Delhi in terms of Para 8 of the Standing Order 04/2022 or in the alternative, post the Petitioner in the vicinity of New Delhi in view of his wife's medical condition thereby allowing them to take uninterrupted medical treatment at AIIMS, New Delhi.”

2. Pursuant to the Order dated 28.03.2023, learned counsel for the respondents sought time to take instructions as to whether the petitioner could be posted at the place where family station is there with IVF medical facilities.
3. Today, learned counsel for the respondents has informed this Court that the petitioner has now been posed with 76 Bn, CRPF, Sector-7, Channi-Himmat, Jammu (J&K), where family accommodation and IVF facilities are available.
4. Learned counsel appearing on behalf of the petitioner does not dispute the same but submits that since the treatment of the wife of the petitioner is midway which will take only three months, the joining period of the petitioner may be extended for a period of three months, so that the medical treatment of the petitioner's wife may be completed.
5. Learned counsel on behalf of the respondents seeks some more time to take instructions. However, in the interest of justice, we direct the respondents to extend the joining period of the petitioner further by three months from today.
6. Accordingly, the present petition is disposed of along with pending application.

(SURESH KUMAR KAIT)
JUDGE

(NEENA BANSAL KRISHNA)
JUDGE

APRIL 13, 2023/S.Sharma