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

% ***Date of decision: 05th April, 2023***

+ **W.P.(C) 4139/2023 & CM APPL. 16008-16009/2023**

KUNWAR MOHAMMED ALI KHAN Petitioner

Through: **Mr. P. Sureshan, Advocate**

versus

DG CISF AND ORS. Respondents

Through: **Mr. Sanjay Kumar, Senior Panel
Counsel with Mr. Abhigyan Siddhant,
GP, SI/Exe Amit Kumar, SI/Exe
Prahlad Devagan and CT/GD Mohit
Kr., CISF**

CORAM:

HON'BLE MR. JUSTICE SURESH KUMAR KAIT

HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

J U D G M E N T (oral)

1. Vide the present petition, petitioner prays as under:

“a) To issue a writ of mandamus directing the respondent, DG CISF, New Delhi, to retain the petitioner at CISF Unit HTPP Kasimpur, as the present transfer cum promotion order is in violation of the circular dated 9/10.11.2015 and circular dated 25.9.2017 as he is now in his fourth tenure of posting.

b) Quash and set aside the order titled as Service Order PARTI NO. 33/2023 dated 12.3.2023, and APS HQRS Service Order Part-I NO. 03/2023. dated 22.3.2023, qua the petitioner, and the Movement order dated 27.3.2023 wherein petitioner has been transferred from the present Unit of HTPP Kasimpur, Aligarh to ASG Bangalore after ignoring his entitlement to remain at CISF Unit HTPP Kasimpur, Aligarh

- c) Direct the respondent to follow their policy guidelines while posting aged CISF personnel in Airport Sector Units.*
d) Direct the respondents to pay cost of this litigation to the petitioner.”

2. Learned counsel for respondents, who is appearing on advance notice, has informed this Court that pursuant to transfer order dated 12.03.2023, petitioner made a representation dated 14.03.2023 which is pending for consideration before the respondents.

3. In view of above, we hereby direct the respondents to decide the abovementioned representation dated 14.03.2023 filed by the petitioner while taking into consideration policy dated 9/10.11.2015 issued by Director General, CISF (Ministry of Home Affairs) within four weeks from today and communicate the decision thereof to the petitioner within one week thereafter with reasoned order. Until the representation dated 14.03.2023 is decided by the respondents, the joining period of petitioner is extended.

4. With the aforesaid directions, the present petition is disposed of.

5. Needless to say, if the petitioner feels aggrieved by the decision of the respondents on his representation, he may approach the appropriate forum.

(SURESH KUMAR KAIT)
JUDGE

(MANMEET PRITAM SINGH ARORA)
JUDGE

APRIL 05, 2023/rk