

\$~52

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

% ***Date of decision: 22nd May, 2023***

+ **W.P.(C) 7006/2023, CM APPL. 27217-18/2023**

DINESH SINGH

..... Petitioner

Through: Mr. Rajive Bhalla, Senior Advocate
with Mr. Sanjay Sarin, Mr. Amit
Chadha, Mr. Tarun Rana, Mr. M. M.
Khan, Mr. Waseem Akram and Ms.
Anchita Nayyar, Advocates

versus

UNION OF INDIA & ORS.

.... Respondents

Through: Mr. Neeraj, Senior Panel Counsel
with Mr. Vedansh Anand, GP, Mr.
Rudra Paliwal, Mr. Sahaj Garg and
Mr. Deepanshu Badiwal, Advocates

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 present petition, petitioner is praying as under:

i) issue an appropriate writ, order or directions in the nature of certiorari to quash/ set aside the impugned order dated 18.04.2023 issued by Respondent No.2 whereby the petitioner has been transferred from 230 Bn CRPF Dantewada, Chhattisgarh to NES HQR, Shillong, Meghalaya CRPF.

ii) issue an appropriate writ, order or directions in the nature of certiorari to quash/ set aside the impugned order dated 16.05.2023 issued by respondent No. 2 whereby the representation of petitioner against his premature transfer has been rejected with giving any cogent reason.

iii) issue an appropriate writ, order or directions in the nature of certiorari to quash/ set aside the impugned order dated 18.05.2023 issued by respondent No. 2 whereby the petitioner has been directed to hand over the charge forthwith;

iv) issue an appropriate writ, order or direction in the nature of

mandamus to allow the petitioner to continue in his present Unit 230 Bn CRPF Dantewada, Chhattisgarh, till completion of his normal tenure as per transfer policy or till he is promoted to the rank of DIGP whichever is earlier.

2. Learned Senior Counsel appearing on behalf of petitioner submits that the petitioner has an apprehension that respondents may take action against him in view of transfer order dated 18.04.2023 and subsequent order dated 16.05.2023.
3. We have perused the said orders and in remarks nothing has been mentioned against petitioner.
4. Learned counsel for respondents who is appearing on advance notice, submits that there are sufficient materials against the petitioner to take action, however, on instructions, he further submits that on aforesaid orders dated 18.04.2023 and 16.05.2023, no action shall be taken against petitioner on the ground that he was transferred pre-maturely, however, respondents shall take action against the petitioner on the material available with respondents against him.
5. Accordingly, we hereby dispose of present petition in view of submissions made by learned counsel for respondents.
6. Pending applications also stand disposed of.

(SURESH KUMAR KAIT)
JUDGE

(NEENA BANSAL KRISHNA)
JUDGE

MAY 22, 2023/rk

W.P.(C) 7006/2023

Page 2 of 2