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

% **Date of decision: 1st June, 2023**

+ **W.P.(C) 8071/2023, CM APPL. 31126/2023**

AMARJIT KUMAR SINGH Petitioner

Through: Mr. Vikash K. Singh, Advocate.
versus

UNION OF INDIA & ORS. Respondents

Through: Mr. Raj Kumar Sr. Panel Counsel
with Mr. Mimansak Bhardwaj, G.P
and Mr. Govind Yadav AC.

CORAM:
HON'BLE MR. JUSTICE SURESH KUMAR KAIT
HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

J U D G M E N T (oral)

CM APPL. 31127/2023 (Seeking Exemption)

1. Allowed, subject to just exceptions.
2. The application is disposed of.

W.P.(C) 8071/2023

3. The present Writ Petition has been filed by the petitioner under Article 226 of the Constitution of India seeking following reliefs:

*“(a) Issue a writ of certiorari quashing the transferred order dated 17.03.2023 qua the petitioner whereby the respondents have transferred the petitioner from Eastern Frontier, Lucknow to FA\V-I, Rupai, Assam,
(b) Issue a writ of mandamus to the respondents to*



follow the guidelines of Standing Order No. 02/2020 dated 15.10.2020 and allow the representation dated 22.05.2023 for seeking permission to retain at present posting on compassionate grounds.

(c) Pass such other and further order(s) as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case."

4. Learned counsel appearing on behalf of the respondents on advance Notice submits that on completion of three years of service at Lucknow, the petitioner made a representation stating therein that his son is studying in 09th standard and going to be promoted to 10th standard, therefore, one year extension may be granted to him, which was allowed. Thus, the petitioner has completed four years of service at one station.

5. Learned counsel appearing on behalf of the petitioner submits that he is not aware of the said fact.

6. It is not in dispute that the representation and appeal is to be made under the SOP. Since the representation of the petitioner has already been rejected by the respondents and as per paragraph 6(b) of the Standing Order No.03/2023 dated 10.02.2023 of Directorate General, ITB Police, MHA, Govt. of India, the petitioner is to make appeal before the concerned Authority.

7. Therefore, we hereby dispose of the present petition with liberty to the petitioner to make an appeal before the concerned Authority which shall be considered on compassionate grounds and be disposed of within a period given in the SOP.



8. The petition along with the pending applications stands disposed of accordingly.

(SURESH KUMAR KAIT)
JUDGE

(NEENA BANSAL KRISHNA)
JUDGE

JUNE 1, 2023
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