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

+ **W.P.(C) 4591/2024 and CM APPL. 42984/2024**

SMRITI RANJAN

.....Petitioner

Through: Dr. Amit George, Mr. Nitesh Mehra,
Ms. Hitaakshi Mehra, Mr. Ankit Kumar and Ms.
Suparna Jain, Advocates along with Petitioner in
person.

versus

UNION OF INDIA AND ORS

.....Respondents

Through: Mr. Mohit Kumar Auluck with Mr.
Vivek Nagar, Government Pleader for R-1.
Mr. O.P. Gaggar and Mr. Sachindra Karn,
Advocates for R-2 to 6.

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

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06.08.2024

1. This writ petition has been preferred on behalf of the Petitioner under Article 226 of the Constitution of India seeking the following reliefs:

"i. Issue a Writ/direction in the nature of Certiorari seeking quashing/setting aside of the impugned orders dated 26.04.2023 and 28.04.2023 issued by the Respondents whereby the Petitioner has been transferred to FGMO Chandigarh and further RO- Bhatinda; and

ii. A Writ of Mandamus to direct the Respondents to allow the Petitioner to continue in her parent state till the disposal of the present petition; or in alternate direct the Respondents to transfer the Petitioner to Karnal/Kundli/NCR or near by places of Delhi where the Petitioner could travel on daily basis;"

2. Petitioner has laid a challenge to the impugned order dated 26.04.2023, whereby Petitioner was transferred to Field General Manager's Office, Chandigarh as well as order dated 28.04.2023, whereby further



allocation was made to Regional Office, Bhatinda. By a detailed order dated 28.03.2024, Court had stayed the operation of the impugned orders till the next date of hearing and the interim order continues till date.

3. Dr. Amit George, learned counsel appearing on behalf of the Petitioner, on instructions from the Petitioner, who is present in Court, submits that Petitioner is now willing to join at Regional Office, Bhatinda, as her domestic problems stand resolved but prays that disciplinary action should not be taken against her for the absence period as that was due to unavoidable family circumstances. It is assured that Petitioner will join the office at Bhatinda within 15 days from today.

4. Learned counsel appearing on behalf of Respondents No.2 to 6, on instructions, submits that Respondents No.2 to 6 shall withdraw the disciplinary proceedings pertaining to the unauthorized absence for the period 03.05.2023 to March, 2024, however, this would be subject to the Petitioner suffering loss in her pay and allowances for the said period. It is further urged that this decision has been taken in the special and peculiar circumstances of this case and should not be treated as a precedent.

5. It is put to the Petitioner if she is ready and willing to accept the aforesaid proposal for loss of pay and allowances for the period 03.05.2023 to March, 2024, if the disciplinary proceedings are withdrawn. Petitioner submits that she has no objection to this.

6. Accordingly, this writ petition is disposed of taking on record the stand of Respondents No.2 to 6 that the disciplinary proceedings shall be withdrawn against the Petitioner and the consent of the Petitioner that she is willing to suffer the loss in pay and allowances for the aforesaid period.



7. It is made clear that this order will not be treated as a precedent in any other case and has been passed in peculiar circumstances of this case. Parties shall remain bound by their respective stands as aforementioned.

8. Date of 12.12.2024 stands cancelled. Pending application also stands disposed of.

JYOTI SINGH, J

AUGUST 06, 2024/kks