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

+ **W.P.(C) 4809/2024**

DINESH KUMAR & ANR.

..... Petitioners

Through: Mr. Himanshu Kaushik, Adv. with
Ms. Pulkita Nara and Mr. Akash
Kasana, Adv. alongwith petitioners
in person

versus

UNION OF INDIA & ORS.

..... Respondents

Through: Mr. Vijay Joshi, Adv. with Mr. Mohit
Joshi, for UOI with Mr. Rajinder
Singh, Chief (OS)

CORAM:

HON'BLE MR. JUSTICE V. KAMESWAR RAO

HON'BLE MR. JUSTICE SAURABH BANERJEE

ORDER

% **03.04.2024**

CM APPL. 19694/2024 (for exemption)

Exemption allowed subject to all just exceptions.

Application stands disposed of.

W.P.(C) 4809/2024 & CM APPL. 19693/2024(stay)

1. This petition has been filed with the following prayers:-

a. Allow the present writ petition and/or;

*b. Issuance of appropriate writ, quashing/ setting aside the
Impugned Notice/ order dated 20.03.2024 And/or;*

*c. Direct the respondents to post/ transfer the petitioners to
such available alternate employment in Delhi division, if not
available in railway protection force then in some other
department of Indian railway in Delhi Division And/ or;*



d. Pass any such appropriate directions/ orders as this Hon'ble Court may deem fit and proper in the Interest of Justice.

2. We have heard learned counsel for the parties. Vide impugned order the two petitioners have been posted as Senior Clerk, Security Branch, Lucknow Division and Junior Clerk, Security Branch, JR Academy, Lucknow Division respectively. This is primarily because the petitioners have been medically de-categorised from working in Railway Protection Special Force.
3. Though submissions have been made upon various aspects, we are not inclined to interfere with the impugned order. At this stage, learned counsel for the petitioners submits that the petitioners have not been paid the salary w.e.f. February 29, 2024/March 18, 2024 respectively.
4. Mr. Joshi states that the petitioners having been posted at Lucknow, the salary shall be released immediately within ten days of the joining at Lucknow.
5. Counsel for the petitioners states that the petitioners shall join the place of posting at Lucknow on or before April 8, 2024.
6. If that be so, taking the submission of Mr. Joshi on record, the petition is closed.

V. KAMESWAR RAO, J

SAURABH BANERJEE, J

APRIL 3, 2024/rr