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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 4881/2024 & CM APPL. 19929/2024**
JITENDRA KUMAR MANDAL Petitioner

Through: Mr. Krishan Kumar and
Ms. Sunita Arora, Advs.

versus

UNION OF INDIA & ORS. Respondents
Through: Mr. Neeraj Kumar, SCGC with
Ms. Archana Kumari, GP for UOI

CORAM:

HON'BLE MR. JUSTICE V. KAMESWAR RAO
HON'BLE MR. JUSTICE SAURABH BANERJEE

ORDER

% **10.04.2024**

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

“It is, therefore, most respectfully prayed that this Hon'ble Court may kindly and graciously be pleased to:

a) pass appropriate writ(s)/order(s) or direction(s) in the nature of a Writ of Certiorari thereby quash and set-aside quash impugned Posting Order/List No. E-38014/CISF /DMRC/Adm-1/POO/2023-98528-(E) dated 23.03.2024 and also quash and set aside Original Posting Order/List No. E-38014/ AS/ADM/ Posting/2023/3675 dated 04.04.2023 both passed by respondents sending posting list thereby directing the petitioner to join ASG, Mumbai w.e.f. 01.04.2024 and to consider the case of petitioner keeping in mind policy of respondent No.2 and he may be posted either at home zone (eastern sector) or at the present place of posting i.e. DMRC, New Delhi.

b) pass such other and further order which this Hon'ble Court may deem fit and proper in the facts & circumstances of the case and in the interest of justice.”



2. We have heard the learned counsel for the petitioner and the respondents. Learned counsel for the respondents has relied upon the judgment of the Coordinate Bench of this Court in the case of ***Ali Mohammed v. DG, CISF and Ors., W.P.(C) 5137/2023***, decided on February 26, 2024 to state, the plea of the petitioner that he be posted in the Home Sector – Eastern Sector is not a matter of right.

3. Be that as it may, learned counsel for the petitioner submits that as the petitioner has not been posted in the Home Sector – Eastern Sector at all, he shall give a representation giving names of the places where he can be posted in the Home Sector – Eastern Sector within one week to the Competent Authority for a decision of the said Authority in that regard.

4. Learned counsel for the respondents states that if such a representation is made, the same shall be decided within two weeks of the receipt of the same. If that be so, till the decision on the representation is taken, the petitioner shall not be relieved for his posting at Mumbai.

5. Suffice to state, any decision to be taken by the Competent Authority, shall be binding on the petitioner.

6. The writ petition is disposed of.

CM APPL. 19929/2024

Dismissed as infructuous.

V. KAMESWAR RAO, J

SAURABH BANERJEE, J

APRIL 10, 2024/aky