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IN THE HIGH COURT OF DELHI AT NEW DELHI

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**W.P.(C) 5341/2024 & CM APPL. 21905/2024 and
CM APPL. 21906/2024**

RIPUDAMAN SINGH BHADAURIYA

..... Petitioner

Through: Mr. Nikhil Bhardwaj, Adv.

versus

UNION OF INDIA AND ORS

..... Respondents

Through: Dr. B. Ramaswamy, CGSC

CORAM:

HON'BLE MR. JUSTICE V. KAMESWAR RAO

HON'BLE MR. JUSTICE RAJNISH BHATNAGAR

ORDER

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23.04.2024

CM APPL. 21905/2024

Exemption allowed subject to all just exceptions.

Application stands disposed of.

W.P.(C) 5341/2024 & CM APPL. 21906/2024

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

“i) Issue a Writ of Certiorari for quashing and setting aside the impugned transfer order dated 02.03.2024 (qua Petitioner only) vide which Petitioner has been transferred at 160th battalion Jammu as well as the impugned rejection order dated 28.03.2024 vide which respondents rejected the request of the petitioner for posting him with any of the CRPF units at Delhi NCR;

ii) Issue a Writ of Mandamus directing the respondents to post the Petitioner with any of the following CRPF Units at Delhi NCR viz; Group Centre Gurugram, Group Centre Noida, Group Centre New Delhi, 88th Mahila Battalion Delhi, 103rd Rapid Action



Force Delhi.;

iii) Pass such further and other orders and directions as this Hon'ble Court may deem fit and proper."

2. It is the case of the petitioner and so submitted by Mr. Nikhil Bhardwaj, learned counsel appearing for the petitioner that as per the service record of the petitioner, which we reproduce as under, he has been posted to the following places:-

<i>S.No.</i>	<i>Period</i>	<i>Unit Name</i>
1.	31.01.1997 to 20.12.1999	Group Centre Bangalore.
2.	21.12.1999 to 31.08.2001	110 Bn. Poonamallee Tamil Nadu/ Manripukhri Manipur.
3.	16.09.2001 to 20.10.2003	Group Centre Bangalore Karnataka.
4.	31.10.2003 to 17.01.2008	Group Centre Shivpuri/Gwalior.
5.	01.03.2008 to 14.11.2011	125 Bn. Kupwada Kashmir.
6.	15.11.2011 to 03.01.2012	10 th NDRF Guntur Andhra Pradesh
7.	04.01.2012 to 24.09.2016	Group Centre Gwalior Madhya Pradesh.
8.	15.10.2016 to 03.06.2018	123 rd Bn. Balaghat Madhya Pradesh.
9.	04.06.2018 to 20.04.2021	Group Centre Gwalior Madhya Pradesh.
10.	15.06.2021 till date.	Group Centre Amethi.



3. It is stated that except on one occasion i.e., on June 15, 2021, when he was posted at Group Centre, Amethi, which is his home sector he was always posted out side the home sector. He also states that the wife of the petitioner is also working in District Jalaun, Uttar Pradesh and as such he is entitled to the benefit of the DoP&T instruction which contemplates the posting of husband and wife at one place. He also submits that the petitioner would be satisfied if he is posted at Noida, Uttar Pradesh, so that he can easily travel to Jalaun. Further, he submits that the daughter of petitioner intends to sit in Civil Services Examination and his posting in Delhi shall help the petitioner guide his daughter for the Civil Services Examination.

4. There is no dispute that the posting of the petitioner was at Group Centre Amethi on June 15, 2021, his home sector. The petitioner has also stayed at that place for three years. It is conceded case that as per the process evolved by the respondents, transfer postings are carried out through the process of software programme, as such there is minimal human interference. The plea of Mr. Bhardwaj is primarily of discrimination inasmuch as officers with lesser out of home sector are being posted nearer to Delhi/NCR as against those officials who are posted out of home sector for a longer time. He states that he would be satisfied if the respondents reconsider his posting to Jammu by posting him at NOIDA for the aforesaid reasons.

5. On the other hand, learned counsel for the respondents would contest the submission of Mr. Bhardwaj by stating that the transfer posting is done in administrative exigencies. He states that the transfer policy which is being invoked has been followed scrupulously, more particularly, when whole process has been implemented through a software programme evolved by



the respondents.

6. Though various submissions have also been made by Mr. Bhardwaj with which we are not agreeing to, as far as the last submission of Mr. Bhardwaj that the respondents may reconsider the posting of the petitioner to Jammu and post him at NOIDA is concerned, we are of the view that the representation made by the petitioner has already been rejected by a Board of Officers headed by the IG, CRPF and given the fact that the petitioner is working in CRPF and if exigencies require his posting in Jammu, no interference to the impugned order is called for.

7. The petition is dismissed. No Costs.

V. KAMESWAR RAO, J

RAJNISH BHATNAGAR, J

APRIL 23, 2024/ds