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

+ **W.P.(C) 6746/2024, CM APPLs.28127-28128/2024**

ZONUNTHARI Petitioner

Through: Mr. Vipul P. Sanghi, Adv.

versus

DIRECTOR GENERAL, CISF Respondent

Through: Ms. Gauri Goburdhun, SPC with Mr.
Kapil Dev Yadav, GP for UOI with
SI Prahlad and SI Amit Kumar.

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

HON'BLE MR. JUSTICE SAURABH BANERJEE

ORDER

% **10.05.2024**

1. The present petition under Article 226 of the Constitution of India seeks the following reliefs:

"I. Issue a writ of Mandamus or any other appropriate writ, rule or order thereby directing the Respondent to comply with its own order dated 22.05.2023 bearing number 38018/21/Zonunthari/2023/ ... 1843, whereby the transfer of the Petitioner was deferred for a period of one year and refrain from taking any precipitative action regarding the transfer of the Petitioner, before the expiration of the designated period of deferment of her transfer i.e. 21.05.2024;

II. Further, direct the Respondent to stay the transfer of the Petitioner till the pendency of her matrimonial matters.

III. Alternatively, direct the Respondent to consider the transfer of the Petitioner within Delhi to some other unit.

IV. Further, issue of writ of Certiorari or any other appropriate writ, rule or order thereby setting aside the movement order dated 07.05.2024 numbered as Unit-42099/CISF/.../Govt./2024/1708 passed by Asst. Commandant, CISF UNIT DAMEPL, New Delhi and Airport Sector Service order no. 75/2023 dated 04.04.2023, bearing number E-38014/AS/ADM/Posting/2023/3675 with the subject 39th Inter State Transfer – 2023 issued from the office of the Addl. Director General (Airport Sector) CISF, Airport Sector HQRs, New Delhi – 110037, qua the petitioner.

V. Set aside any order passed by the Respondent rejecting the representations made by the Petitioner dated 27.02.2024, whereby she has requested to consider her case for extension of stay of transfer, as



any such order, if passed, has been passed without giving the Petitioner fair opportunity and hearing, in violation of the principles of natural justice;

VI. Pass ex parte ad – interim order staying the movement order dated 07.05.2024 and further stay the transfer of the Petitioner till the present petition is finally adjudicated upon so that the Petitioner may pursue her matrimonial matters and is not adversely affected. For the said relief, a separate application is also being moved;

VII. Pass any other order(s) as this Hon'ble Court may deem fit in the interest of justice.”

2. After some arguments, learned counsel for the petitioner submits that the petitioner would be satisfied if the respondent defers the joining date of 07.05.2024 as prescribed in the Movement Order dated 07.05.2024 to 22.05.2024 as her posting was deferred for one year in terms of their own order dated 22.05.2023.
3. Issue notice. Mr. Kapil Dev Yadav accepts notice on behalf of the respondent and fairly submits that appropriate instructions with respect to the date mentioned in the Movement Order dated 07.05.2024 will be issued by the respondent to permit the petitioner to continue at her present place of posting till 21.05.2024 and thereafter report to her new place of posting.
4. We, therefore, make it clear that the movement order dated 07.05.2024 will become effective from 22.05.2024.
5. The petition alongwith the pending applications are accordingly disposed of.

REKHA PALLI, J

SAURABH BANERJEE, J

MAY 10, 2024/So