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IN THE HIGH COURT OF DELHI AT NEW DELHI

W.P.(C) 11070/2022 & CM APPL. 32462/2022 –Stay., CM APPL.
36469/2024 –Vac. of Stay.

CONST. SHANKAR KUMAR

.....Petitioner

Through: Mr.Rakesh Dahiya with Mr.AAkash
Dahiya, Mr.Kartar Singh, Advs.

versus

UNION OF INDIA & ORS.

.....Respondent

Through: Aakanksha Kaul with Mr.Akash
Sharma, Mr.Aman Sahani, Ms.Rhia Barkotaky,
Advs.

Mr.Hemendra Singh, DC/Law BSF.

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

HON'BLE MS. JUSTICE SHALINDER KAUR

ORDER

16.07.2024

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

“(a) issue a writ, order or direction especially in the nature of certiorari quashing the Order dated 02.07.2022 issued by the commandant 25th Battalion, BSF, Delhi; and

(b) issue such further appropriate writ/order/direction as this Hon'ble Court may be deem fit and proper in facts and circumstances of the case.”

2. Learned counsel for the petitioner submits that since the 9th Battalion to which the petitioner was transferred under the Z.O. now stationed at Hisar, Haryana, he would have no objection to join the battalion at



the said station. He, however, prays that to enable the petitioner to resolve his domestic issues primarily relating to his mother's ailment, he may be granted some time to report at Hisar.

3. Taking into account that the order staying the impugned transfer was passed almost two years ago, the request for grant of further time is opposed by the respondents. However, in the totality of circumstances including the fact that the interim stay has continued for almost two years, we are of the view that the petitioner should be granted some reasonable time to report at 9th Battalion, Hisar, Haryana.
4. The writ petition along with the pending applications is accordingly disposed of by directing the petitioner to report at 9th Battalion, Hisar, Haryana on or before 15.08.2024.

REKHA PALLI, J

SHALINDER KAUR, J

JULY 16, 2024
sr