



\$~43

*

IN THE HIGH COURT OF DELHI AT NEW DELHI

+

W.P.(C) 7119/2024 & CM APPL. 29696/2024 –Stay

INSP FIROZ KHAN SIDDIQUI

.....Petitioner

Through: Mr.Rajaram C Iyer, Adv. along with
the petitioner in person.

versus

UNION OF INDIA AND ORS.

.....Respondents

Through: Mr.Vatsal Joshi & Mr.Hussain Taqvi,
Adv. with Mr.Hemendra Singh, Dy. Commdt.
(Law)

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

HON'BLE MS. JUSTICE SHALINDER KAUR

ORDER

%

06.08.2024

1. The petitioner, who is working as an Inspector (General Duty) in the Border Security Force, has approached this Court seeking the following reliefs:-

“A. Issue a Writ, order or direction in the nature of Certiorari quashing order dated 10.05.2024(Annexure P-1) issued by Respondent No.3, transferring the Petitioner to 4th Bn. BSF. Meghalaya from the office of Respondent No.3.

B. Issue a Writ Order or directions in the nature of mandamus to the Respondents to implement the OM dated 08.10.2018 issued by DoP&T in letter and spirit and exempt the Petitioner from routine exercise of transfer/rotational transfer.

C. Issue a Writ/order or directions in the nature of mandamus to the Respondents to act as per policy guidelines/instructions dated 07.09.2017 issued by Respondent No.1 for rehabilitation of disabled dependents of Central Armed Police Forces.



D. Issue a Writ/Order or directions in the nature of mandamus to the Respondents to consider the recommendations of the Rehabilitation Board dated 15.01.2024.

E. Any other order(s), as deemed fit and proper in the facts and circumstances of the case, in favour of the petitioner, in the interest of justice.”

2. On the last date, taking into account the difficulties expressed by the petitioner in complying with the impugned transfer order especially, the medical problems being faced by his young son, the respondents had stated that they could accommodate the petitioner at Ferozpur, Sri Ganganagar or at Bikaner. The matter was adjourned to enable learned counsel for the petitioner to obtain instructions.
3. Today, after some arguments, learned counsel for the petitioner, on instructions from the petitioner who is present in Court, submits that the petitioner is agreeable to being transferred to 155th Battalion, Ferozpur. He, however, prays that the respondents be directed to grant him a static posting as also one month's time to join his new place of posting.
4. Learned counsel for the respondents, on instructions, fairly submits that the respondents would have no objection if this Court were to grant some reasonable time to the petitioner to join his new place of posting at 155th Battalion Ferozpur, Punjab.
5. In the light of the aforesaid stand taken by the parties, we dispose of the writ petition by directing that instead of being transferred to 04th Battalion, Meghalaya in terms of the impugned order dated 10.05.2024, the petitioner would be transferred to 155th Battalion



Ferozpur, Punjab. Further, as prayed for, the petitioner is granted time till 15.09.2024 to join his new place on posting. A fresh transfer order along with an appropriate movement order be issued within four weeks.

6. While disposing of the writ petition, we hope and expect that, taking into account the medical condition of the petitioner's son, the respondents will, accommodate genuine requests of the petitioner for adjustment of his duties, if the need so arises.

REKHA PALLI, J

SHALINDER KAUR, J

AUGUST 6, 2024

kk