



\$~45

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

+ W.P.(C) 10341/2024 & CM APPL. 42358/2024 –Stay

AVINASH MISHRA

.....Petitioner

Through: Mr.Abhay Kumar Bhargava, Adv.

versus

UNION OF INDIA & ORS.

.....Respondents

Through: Ms.Avshreya Pratap Singh Rudy,
Ms.Usha Jamnal, Advs. & Ms.Laavanya Kaushik ,
GP.

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

HON'BLE MS. JUSTICE SHALINDER KAUR

ORDER

29.07.2024

%

1. The petitioner has approached this Court assailing the order dated 25.06.2024 passed by the Director General, BSF vide which he has been de-attached from the OPS Directorate at Delhi and directed to report at the Headquarters of 70th Battalion, BSF. The petitioner also assails the consequential movement order dated 11.07.2024 vide which he has been directed to report at his new place of posting.
2. Learned counsel for the petitioner submits that the parents of the petitioner are aged and are suffering from age related ailments including lower backache and Chronic Obstructive Pulmonary Disease (COPD) and therefore, he should be retained in Delhi for at least one more year.
3. After some arguments, he submits that the petitioner would be satisfied in case, he is granted four weeks' time to join his new place



of posting at 70th Battalion, BSF.

4. Issue notice. Learned counsel for the respondents accepts notice and submits, on instructions, that even though the petitioner has no justifiable grounds to seek deferment of his posting, taking into account the views expressed by this Court, the respondents will have no objection if the petitioner is granted time till 20.08.2024 to report at his new place of posting.
5. In the light of this fair stand taken by the respondents, we dispose of the writ petition by granting the petitioner time till 20.08.2024 to report at his new place of posting at the Headquarters of the 70th Battalion, BSF. This would, however, be subject to the petitioner filing, within one week, an affidavit before this Court undertaking to join his new place of posting on or before 20.08.2024.
6. The writ petition along with the accompanying application, accordingly, stands disposed of in the aforesaid terms.

REKHA PALLI, J

SHALINDER KAUR, J

JULY 29, 2024

kk