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

+ **W.P.(C) 15159/2023 & CM APPL. 60622/2023 Stay**

SURESH KUMAR

..... Petitioner

Through: Mr. Nikhil Bhardwaj and Mr. Sanjay
Kumar, Advocates.

versus

UNION OF INDIA AND ORS

..... Respondents

Through: Mr. Adity Hurana, SPC with Mr.
Rishav Dubey and Mr. Prahalad,
Advocates and with ASI Amit
Kumar, CISF and Mr. Tilak Kumar,
CISF.

CORAM:

HON'BLE MR. JUSTICE V. KAMESWAR RAO

HON'BLE MR. JUSTICE DHARMESH SHARMA

ORDER

% **03.05.2024**

CM APPL. 6566/2024 (delay 56 days in filing counter affidavit)

1. This is an application filed by the respondent seeking condonation of delay of 56 days in filing the counter affidavit.
2. For the reasons stated therein, the application is allowed and 56 days' delay in filing the counter affidavit is condoned and the same is taken on record.
3. The application stands disposed of.

W.P.(C) 15159/2023 & CM APPL. 60622/2023 Stay

4. The present petition under Articles 226 and 227 of the Constitution of India filed by the petitioner with the following prayers:-



*“i) Issue a Writ of Certiorari for quashing and setting aside the impugned rejection order dated 07.10.2023 vide which respondents rejected the request of the petitioner for posting him to any of the CISF Units at Delhi NCR;
ii) Issue a Writ of Mandamus directing the respondents to post the petitioner with any of the following CISF Units at Delhi NCR viz; PPCL Bawana, IOCL Faridabad or National Museum New Delhi;
iii) Pass such further and other orders and directions as this Hon'ble Court may deem fit and proper.”*

5. The limited submission made by Mr. Bhardwaj, learned counsel for the petitioner, is that petitioner will be retiring from the service on August 31, 2024 and as such the respondent must post him in Delhi/NCR whereto he has never been posted during his service career.

6. Noting the aforesaid submission, we deem it appropriate to dispose of the petition by directing the respondents to consider the present writ petition as a representation and decide the same within four weeks as an outer limit. The decision thereof shall be conveyed to the petitioner.

7. The writ petition along with pending application stands disposed of in the above terms.

V. KAMESWAR RAO, J

DHARMESH SHARMA, J

MAY 3, 2024

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