



2024:DHC:9478-DB



\$~19

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

***Date of decision: 06.12.2024***

+ **W.P.(C) 15522/2023**

**NIRMAL CHANDRA MANDAL** .....Petitioner

Through: **Mr. P Sureshan, Adv.**

versus

**DIRECTOR GENERAL CISF AND ORS.** .....Respondents

Through: **Mr. Tanveer Ahmed Ansari,**  
**SPC with Mr. Hilal Haider and**  
**Ms. Amreen Rizvi with Mr.**  
**Yashpal, Inspector, CISF.**

**CORAM:**

**HON'BLE MR. JUSTICE NAVIN CHAWLA**

**HON'BLE MS. JUSTICE SHALINDER KAUR**

**NAVIN CHAWLA, J. (Oral)**

1. This petition has been filed by the petitioner praying for the following reliefs:

*“a) To issue a writ of mandamus directing the respondent, DG CISF, New Delhi, to transfer the petitioner at any CISF units of South east Sector or any alternative two sectors as per the choice given by him in terms of the circular dated 25.9.2017.*

*b) Quash and set aside the order dated 14.6.2023 passed by the respondent as the same is illegal and wrong.*

*c) Direct the respondents to file the entire seniority list of HC/GD prepared for south eastern sector of CISF for posting in terms of the policy guidelines dated 25.9.2017*

*d) Direct the respondents to pay cost of this litigation to the petitioner.”*



2024:DHC:9478-DB



2. The learned counsel for the petitioner, drawing our reference to the “*Guidelines for posting/transfer of CISF personnel (NGOs- Constables, HCs, ASIs, Sis & Inspectors) in various sectors of CISF*” issued *vide* Circular No.22 of 2017 dated 25.09.2017, and specifically Clause 12 thereof, submits that the petitioner is due for his Home Sector posting as he is in his fourth tenure and has already completed his Out of Home Sector tenure. Referring to Sub-Clause 3 of Clause 12 of the Guidelines, he submits that the Guidelines further provide that where an individual cannot be adjusted in the Home Sector due to non-availability of vacancies, he may give preference for a maximum of two Out of Home Sector postings.

3. The learned counsel for the petitioner submits that in the present case, the petitioner had given such options, however, the respondents have not considered the same in their rejection letter dated 14.06.2023 or even in the counter affidavit wherein a simple denial has been made to such alternate places of posting without giving any reasons as to why the petitioner cannot be accommodated there.

4. Having perused the impugned rejection letter dated 14.06.2023 and the counter affidavit filed by the respondents, we find that the respondents have given reasons only for not granting the Home Sector posting to the petitioner. There are no reasons given by the respondents for not accepting the alternate request of place of posting in Out of Home Sector made by the petitioner.

5. We are informed that the fresh posting exercise shall be done by the respondents early next year.

6. Keeping in view the above, we direct that the respondents shall



2024:DHC:9478-DB



specifically consider the request of the petitioner for Home Sector Posting or at preferred place of Out of Home Sector posting in the next posting exercise that shall be conducted by the respondents, that, we are informed, would be due in January-March, 2025.

7. With the above directions, the present petition is disposed of.

**NAVIN CHAWLA, J**

**SHALINDER KAUR, J**

**DECEMBER 6, 2024/sds/B/as**

*Click here to check corrigendum, if any*