



2024:DHC:9004-DB



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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
Date of decision: 21.11.2024

+ W.P.(C) 16158/2024
VIKAS KUMAR

.....Petitioner

Through: Mr. Neeraj Sharma, Adv.

versus

UNION OF INDIA & ORS.

.....Respondents

Through: Mr. Vedansh Anand and Mr.
Sachin Saraswat, Advs.**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 setting aside of the orders dated 24.07.2024 and 12.08.2024, by which the petitioner has been transferred from 25th Battalion, Ghitorni, Delhi to the 18th Battalion, Raj Nagar, Madhubani, Bihar.
2. It is the case of the petitioner that due to certain family disputes, there are various litigations that are pending in the courts in Saket (Delhi), Narnol (Haryana), and Kaneen (Haryana), and the petitioner needs to be in Delhi to properly defend/prosecute these cases.
3. On the other hand, the learned counsel for the respondents, who appears on advance notice, submits that the petitioner has been posted in Ghitorni, Delhi for the last 4 years, 10 months and 10 days, as on 11.06.2024, though the normal tenure of such posting is only 3 years. He was granted extensions of his posting on two occasions on the



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same grounds. The learned counsel further submits that the petitioner could not be accommodated any further, therefore, has been transferred.

4. Having considered the submissions made, we do not find any merit in the present petition. The petitioner cannot challenge his transfer merely because the said orders may cause some inconvenience to him. Transfer is a policy decision of the respondents and unless it is shown to be perverse or motivated by *mala fide* intent or as being in violation of any Rule, this Court would not interfere in such matters; transfer being an exigency of service, it is only on rare occasions that the Court interferes with the same.

5. Accordingly, the petition is dismissed.

NAVIN CHAWLA, J

SHALINDER KAUR, J

NOVEMBER 21, 2024

SU/as

Click here to check corrigendum, if any