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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 2230/2025 & CM APPL. 10440/2025**
SGT VIJAY SINGH YADAV

.....Petitioner

Through: Mr. Raj Kumar and Mr.
Devendra Kumar, Advs.

versus

UNION OF INDIA AND ORS

.....Respondents

Through: Dr. Vijendra Singh Mahndiyan,
CGSC with Mr. Devendra
Kumar, Adv. and HWO Ashok
Jangid, IAF.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

HON'BLE MS. JUSTICE SHALINDER KAUR

ORDER
27.02.2025

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1. Pursuant to our last Order, the respondents have produced before us the opinion obtained by them from the Army Hospital (R&R), Delhi Cantt., New Delhi. It records as under:-

“2. In compliance to the Hon’ble High Court of Delhi order dated 20 Feb 25, it is opined that:

(a) Sgt Vijay Singh Yadav and his wife have undergone three (03) IVF cycles on 23 Feb 2023, 13 June 2023 and 12 Oct 2023. He has availed all his 03 cycles of IVF. From the 3rd cycles of IVF his 02 sets of Embryos (03,02) are left.

(b) For Embryo transfer Sgt Vijay Singh Yadav is not required to be in Delhi or in near vicinity. The embryo transfer cycle can be carried out while on leave.”

2. The petitioner has also handed over the treatment booklet



wherein the treating Doctor, in her advice recorded on 19.02.2025, has stated that the petitioner should be allowed to stay in Delhi till the cycle is completed by the end of the month.

3. From the above, it would be apparent that the presence of the petitioner presently is required at best till 31.03.2025.

4. Accordingly, we dispose of this petition by directing that, subject to petitioner giving an undertaking that he shall, on or before 01.04.2025, join the new place of posting, the respondents would not insist upon the petitioner joining the new place of posting till 01.04.2025. The affidavit of undertaking be submitted by the petitioner to the competent authority of the respondents, within a week from today.

5. In case the treating Doctor requires further presence of the petitioner at Delhi, it shall be open for the petitioner to move an appropriate application in this regard with the respondents, which shall be considered by the respondents in accordance with the applicable rules.

NAVIN CHAWLA, J

SHALINDER KAUR, J

FEBRUARY 27, 2025/ss/kp/IK

Click here to check corrigendum, if any