**IN THE HIGH COURT OF JHARKHAND AT RANCHI**
**W.P.(S) No.3965 of 2026**

Dr. Shabana Mehnaaz, aged about 46 years, wife of Dr. Zahid Khan, resident of 11, Doctors Colony, RIMS, P.O & P.S. Bariatu, District Ranchi, Jharkhand. ..... Petitioner

Versus

1.Union of India through Secretary, Ministry of Home Affairs, Government of India having its office at Lodhi Road, New Delhi, P.O. & P.S. Lodhi Road, District- South Delhi.

2. Joint Secretary, Ministry of Home Affairs, Government of India having its office at Lodhi Road, New Delhi, P.O. & P.S. Lodhi Road, District- South Delhi.

3. The Director General, Directorate General, I.T.B.P, C.G.O Complex, P.O. & P.S. Lodhi Road, District South Delhi State New Delhi.

4. Deputy Inspector General (Personnel), I.T.B.P C.G.O Complex, P.O. & P.S. Lodhi Road, District South Delhi State New Delhi.

5. The Commandant, I.T.B.P, Jharkhand Division, P.O. & P.S. Shukurhutu, District- Ranchi, Jharkhand.

.....Respondents.

---

**CORAM: HON'BLE MR. JUSTICE DEEPAK ROSHAN**

---

For the Petitioner : Mr. Mr. Indrajit Sinha, Adv.

For the UOI : Mr. Prashant Vidyarthi, Sr. Panel Counsel

---

**05/Dated: 21.09.2026**

Heard Mr. Indrajit Sinha, learned counsel for the petitioner and Mr. Prashant Vidyarthi learned counsel for the Union of India along with Mr. Kamlesh Kumar Assistant Commandant.

**2.** The instant writ application has been preferred by the petitioner for the following relief:-

*(i) For issuance of an appropriate writ(s), order(s) or direction(s) particularly writ of certiorari for quashing the Order No. 14218-14317 dated 30.04.2026 (Annexure-4) issued by Deputy Inspector General (Personnel), I.T.B.P to the extent that the Petitioner working on the post of 'Chief Medical Officer' (SG) has been transferred from 40 Bn ITBP Force, Ranchi to 24 Bn ITBP, Leh, Ladakh.*

*(ii) For issuance of an appropriate writ(s), order(s) or direction(s) particularly writ of mandamus commanding upon the respondent no.1 and 2 to consider the case of petitioner for deputation of service to the State of Jharkhand pursuant to the letter no. 979(3) dated 08.09.2025 issued by the Joint Secretary, Department of Health, Medical Education and Family Welfare, Jharkhand.*

**3.** Initially an interim order was granted by this Court vide order dated 09.06.2026; pursuant thereto, an interlocutory application being I.A. No.11636/2026 has been filed by the respondents to vacate the interim protection granted to the petitioner wherein they have justified the transfer order in view of the fact that the petitioner belongs to Indo-Tibetan Boarder Police (ITBP) and in the said department, there is a regulation and policy that any employee cannot remain for more than three years at a place and had to face both soft posting and hard posting.

Meaning thereby to say that looking to the urgency and balance between all the employees, every employee has to get a soft posting in normal town and in other

place which involved greater work.

**4.** Upon perusal of the counter affidavit as well as the order impugned, this Court is of the considered view that the order of transfer in question is certainly not punitive in nature.

**5.** During the course of hearing, however, Ld. Counsel for the petitioner raised the issue of parity. Without entering into other merits of the case, and keeping in view the settled proposition of law governing transfers, this Court does not deem it appropriate to proceed further in the matter. Consequently, the stay order earlier granted cannot be made absolute.

**6.** This view is further fortified by Annexure–1A to I.A. No.11636/26, wherein the petitioner himself has requested that the transfer order be stayed only till June, 2026.

**7.** Mr. Sinha, learned counsel for the petitioner also submits that her son has already passed 12$^{th}$ standard, as such on the sympathetic ground, she may be granted liberty to approach the appropriate forum.

**8.** Looking to the overall facts and circumstances of the case, no relief can be granted to the petitioner from this Court. However, if the petitioner chooses to approach the concerned authority, she shall always be at liberty to do so.

**9.** Since the matter pertains to transfer and the petitioner has been transferred to Leh, the interest of justice demands that some reasonable time be granted to enable her to officially join at the transferred place.

This Court is of the view that a period of four weeks would be sufficient for the petitioner to comply with the

transfer order and join the new place of posting.

**10.** Accordingly, the instant application stands disposed of with a direction that the petitioner is directed to join the new place of posting on or before 2nd November 2026.

**11.** Interim order granted earlier stands vacated. Pending I.A., if any, also stands closed.

**(Deepak Roshan, J.)**

21/09/2026
Fahim/
A.F.R.
Uploaded on
29/09/2026