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

% *Date of Decision : 16.03.2026*

\+ W.P.(C) 3285/2026 CM APPL. 15911-15912/2026

DR VINOD KUMARI .....Petitioner

Through: Mr. Arun Bhardwaj, Sr. Adv. with Mr. Shrutunjaya Bhardwaj, Ms. Siddhi Nagwekar and Muskan Jain, Advs.

versus

SASHASTRA SEEMA BAL AND ORS .....Respondents

Through: Mr. Rakesh Kumar, CGSC with Mr. Ankush Kapoor GP

CORAM:
HON'BLE MR. JUSTICE V. KAMESWAR RAO
HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

V. KAMESWAR RAO , J. *(ORAL)*

CM APPL.15912/2026 (for exemption)

1. Allowed, subject to just exceptions.

2. The application is disposed of.

W.P.(C) 3285/2026

3. This petition has been filed with the following prayers:

"a. Quash Paragraph 2 of the Impugned Transfer Order dated 18.02.2026 to the extent that it rejects the Petitioner's application for transfer to FHQ, New Delhi;
b. Direct the Respondents to post the Petitioner at FHQ, New Delhi till the completion of her daughter's school education i.e. March 2028 or, in the alternative, recommend her for deputation in another organization in New Delhi for the said duration; and

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c. Pass such other/further orders that this Hon'ble Court may deem fit and proper in the facts and circumstances of this case."

4. Our attention has been drawn to an earlier round of litigation initiated by the petitioner being W.P. (C) 16557/2024 which was decided on 03.12.2024 wherein the following has been stated in paragraph 7 onwards:-

"7. Keeping these peculiar facts in mind and without this being treated as a precedent, we direct the respondents to postpone the posting of the petitioner to 55 Bn, Pithoragarh (Nepal Border) in terms of the Transfer Order dated 25.10.2024 till 31.03.2025. We make it clear that the petitioner shall claim no equity or right for her further continuation at New Delhi due to our present order. The petitioner shall file an undertaking before this Court within a week from today, to the effect that she would join her transfer posting on or before 02.04.2025, and she would not seek further extension of her posting at New Delhi, and she would also not claim any right to residential accommodation only because of the extension granted by this Court.

8. However, we further make it clear that the petitioner on joining her transferred post, may, in accordance with the rules, make a representation to the respondents for her re-transfer, which shall be considered by the respondents in accordance with law. We make it clear that we have not expressed any opinion on the representation that may be made by the petitioner and our order passed today should in no manner influence the respondents in taking any decision on any representation that may be made by the petitioner.

9. It is made clear that in case the undertaking as directed above is not filed within a period of one week, the present order shall stand withdrawn automatically and the present writ petition shall be treated as dismissed.

10. With the above direction, the present petition is disposed of. The pending application is also disposed of as being infructuous.

11. Dasti."

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5. Mr. Arun Bhardwaj, learned senior counsel appearing for the petitioner submit that in terms of the said order, the petitioner who has joined her place of posting at Pithoragarh has made a representation to the respondents which has been rejected by the respondents by passing an order dated 18.02.2026 whereby they have posted one officer at FHQ, a place to which the petitioner is seeking her transfer.

6. One of the submissions of Mr. Bhardwaj, learned senior counsel for the petitioner is that the petitioner is a divorcee and the only daughter of the petitioner having appeared in Class 10th, the next two years are crucial for the child's preparation for her class 12th examination scheduled in 2028. He states that no doubt that the petitioner was on deputation to DTC (to remain in Delhi) before she was transferred to Pithoragarh, but once the child completes 12th class, the petitioner would be ready and willing to be posted anywhere pan-India.

7. Having heard the learned counsel for the parties and also perused the record and the order passed by this Court in the previous litigation, we are of the view that as the petitioner has joined her posting at Pithoragarh, she should continue to work at the same place for next one year. She shall make a representation in the month of January, 2027 to enable the respondents consider her request for posting her in Delhi because, the child of the petitioner shall be advancing Class 12th. We note even as per the policy in vogue with the respondents, one of the reasons for granting transfer on compassionate ground is of the education of the children who are due to appear in the Board examination of 10th and 12th Class. It goes without saying that if a representation is made, the same shall be considered

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compassionately/favourably, as the petitioner is only seeking her transfer back to Delhi for one year so that she can be with her daughter during her Class 12th examination.

8. The petitioner is also permitted to fill eTAS (form) as per the Rules, for her transfer to Delhi at the beginning of the academic session 2027-28, of her daughter.

9. The petition is disposed. Pending application is disposed of.

V. KAMESWAR RAO, J

MANMEET PRITAM SINGH ARORA, J

MARCH 16, 2026/msh

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