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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 3925/2026 & CM APPL. 19204/2026**
NEHA GULATI & ANR.Petitioners

Through: Ms. Geet Rajan Ahuja, Ms. Purnima Chanana and Mr. Ishrafil Ansari, Advocates.

versus

NATIONAL HOUSING BANKRespondent
Through: Mr. Chetan Sharma, ASG with Mr. Som Raj Choudhury, Ms. Shrutee Aradhana, Mr. Naman Singh, Advocates with Mr. P.V. Naidu, AGM/ AR.

CORAM:
HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER
27.03.2026

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1. This petition assails the Transfer Order dated 27th February, 2026, whereby the Petitioners have been transferred from the Head Office at New Delhi to the Mumbai Regional Office. The principal grievance raised is that the impugned transfers are contrary to the Respondent's Transfer and Job Rotation Policy, inasmuch as the Petitioners had not completed the prescribed minimum tenure at the present station and, according to them, did not fall within the ordinary "zone of transfer". It is further contended that the transfer orders are arbitrary, have been passed by an authority lacking competence to do so, and that the representations submitted by the Petitioners were not duly considered.



2. Both Petitioners are young women employed with the Respondent Bank. Petitioner No. 1 is working as Regional Manager (Scale IV) and joined service on 31st July, 2023. Petitioner No. 2 joined on 14th February, 2024. Both are presently posted at the Head Office, New Delhi. On that basis, it was urged that neither of them had yet reached the stage at which transfer outside the present station would ordinarily arise under the applicable policy.

3. The Respondent Bank, however, explains that the transfer has been occasioned by service exigency. It is stated that the Bank is in the process of establishing a new department at its Mumbai Regional Office and requires officers to be posted there for operational and administrative purposes. The employer must retain latitude to deploy its personnel where institutional requirements demand. Once such exigency is asserted, the Court would ordinarily be slow to interfere, unless the impugned action is shown to be vitiated by mala fides, patent arbitrariness, or clear violation of a binding rule.

4. At the same time, during the course of hearing, counsel for the Petitioners, on instructions, fairly stated that the challenge is not being pressed on merits at this stage and that the Petitioners would confine their prayer to a limited indulgence on humanitarian grounds. In other words, the Petitioners do not seek, in the present proceedings, a judicial pronouncement setting aside the transfer order. They only seek reasonable time to enable them to make personal and domestic arrangements before reporting at Mumbai.

5. In support of that limited request, it is submitted on behalf of Petitioner No. 2, Ms. Neetu, that she was married only about four months



ago and her spouse is employed with the Haryana Government. It is further stated that she is still coping with the emotional and health difficulties following the demise of her mother last year; that her father is presently living alone and requires support; and that her father-in-law has recently undergone heart surgery and requires care and assistance.

6. In so far as Petitioner No. 1, Ms. Neha Gulati, is concerned, it is submitted that her mother-in-law is suffering from advanced dementia and requires constant care. It is also stated that her ten-year-old child, who is presently studying in Class VI, would face immediate disruption if the relocation were to be enforced at once without any breathing time.

7. The Court sees no reason to doubt that these circumstances are genuine and call for a measure of accommodation. At the same time, that accommodation cannot be open-ended. The Bank has set up a case of administrative necessity, and the Court cannot permit the transfer order to be postponed indefinitely under the guise of humanitarian consideration. The proper balance, therefore, lies in granting the Petitioners a short and final deferment, sufficient to enable them to put their affairs in order, while ensuring that the Bank's operational decision is not frustrated.

8. Counsel for the Petitioners has also stated, on instructions, that during this intervening period the Petitioners shall extend full cooperation to the Respondent Bank and render such assistance as may reasonably be required remotely from Delhi, so that the work relating to the Mumbai branch does not suffer.

9. This Court is conscious that transfer is an incident of service and that decisions of posting are, in the first instance, for the employer to make. Ordinarily, therefore, the Court would not substitute its view for that of the



administration. However, where the challenge on merits is not being pursued and the relief sought is confined to a brief deferment on compelling humanitarian grounds, the matter stands on a somewhat different footing. In such a situation, the Court is not undoing the transfer; it is only moderating the time for compliance so that the employees are not compelled into immediate relocation in circumstances of unusual personal difficulty. Given the nature of the hardships placed on record, and since a short deferment would not defeat the Respondent Bank's underlying decision to post the Petitioners at Mumbai, the Court considers it just and proper to grant limited time for reporting.

10. Accordingly, the Petitioners are granted three months' time from today to report at the Mumbai office. It is made clear that no further extension shall be sought or granted. It is also clarified that this order does not amount to any adjudication on the validity of the transfer order on merits. The Petitioners shall remain bound to comply with the transfer order within the time now granted, and during the intervening period shall extend full cooperation to the Respondent Bank in the manner recorded above.

11. The writ petition is disposed of in the above terms. Pending applications, if any, also stand disposed of.

SANJEEV NARULA, J

MARCH 27, 2026/hc