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

+ **W.P.(C) 5322/2026, CM APPL. 26026/2026**

**SWATI**

.....Petitioner

Through: Mr. Madhav Bhatia, Mr. Vivek Suri,  
Ms. Amisha Awasthi and  
Ms. Muskan Aggarwal, Advocates.

versus

**FOOD CORPORATION OF INDIA & ANR.** .....Respondents

Through: Mr. Om Prakash SC for FCI with Mr.  
Rajeev Ranjan Pathak, Advocate for  
R-1.

Ms. Richa Kapoor, Ms. Udipti  
Chopra and Mr. Arjun Prasad,  
Advocates for R-1.

**CORAM:**

**HON'BLE MR. JUSTICE SANJEEV NARULA**

**ORDER**  
**20.04.2026**

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1. The Petitioner is presently employed as Assistant Grade I (Technical), a Category III post, with Respondent No. 1 i.e., Food Corporation of India (“FCI”). She joined service in the year 2012 and, from 2015 onwards, has been deployed in field operations at FCI depots in the Uttarakhand Region for a substantial period. She was promoted to her present post in the year 2022 and, in 2025, was transferred to the Delhi Region, where she is presently posted at Divisional Office, Mayapuri, New Delhi.
2. The present petition assails Office Order No. 41/2026 dated 9<sup>th</sup> April, 2026, whereby the Petitioner, along with other employees, has been deputed



on a temporary tour basis to the Rajasthan Region for work related to Rabi Marketing Season (“RMS”) 2026-27 procurement. The challenge also extends to Office Order No. 26/2026 dated 17<sup>th</sup> April, 2026, whereby the Petitioner’s representation seeking exemption from such deputation has been rejected.

3. In the petition, the Petitioner has raised several grounds challenging the aforesaid orders, *inter alia*, alleging arbitrariness, non-adherence to the applicable policy framework, and discriminatory treatment. However, during proceedings, Mr. Madhav Bhatia, counsel for the Petitioner, on instructions, submits that the Petitioner does not wish to press the challenge on merits and confines the relief sought to a limited prayer for grant of time to comply with the impugned deputation order.

4. Mr. Bhatia submits that the Petitioner has a minor daughter aged about four years and is the primary caregiver. Her husband is a Neuro-Anaesthetist at a hospital in New Delhi and is required to attend to emergency medical duties without fixed working hours. It is further submitted that, in order to make arrangements for the care of the child during her absence, the Petitioner is in the process of requesting her parents or the parents of her husband to step in and assist for the intervening period. In these circumstances, the Petitioner requires reasonable time to make appropriate arrangements for the care of her child during her absence, which, under the impugned order dated 9<sup>th</sup> April, 2026, is expected to extend for approximately two to three months. It is also submitted that the Petitioner is required to report for duty at Rajasthan today.

5. The Petitioner, therefore, prays for grant of two weeks’ accommodation to enable her to make necessary arrangements before



reporting pursuant to the impugned order dated 9<sup>th</sup> April, 2026.

6. On the other hand, Mr. Om Prakash, Standing Counsel for FCI, submits that the deputation is necessitated by administrative exigencies, particularly in view of the ongoing Rabi procurement season. It is contended that the Petitioner's technical qualifications render her suitable for the assignment. It is further submitted that the Petitioner has no inherent right to seek such accommodation and that any indulgence by this Court may lead to a flood of similar requests, thereby opening a Pandora's box in matters of this nature.

7. The Court has considered the submissions advanced. At the outset, it is noted that the impugned order dated 9<sup>th</sup> April, 2026 is one of temporary deputation on a tour basis and not a transfer in the strict sense. Further, in view of the statement made on behalf of the Petitioner, the challenge to the impugned orders on merits is not being examined.

8. Having regard to the facts of the case, particularly the personal circumstances of the Petitioner and the limited nature of relief now sought, this Court is of the view that some accommodation is warranted on equitable considerations. The impugned order was issued on 9<sup>th</sup> April, 2026, and the Petitioner's representation was rejected on 17<sup>th</sup> April, 2026, leaving little time for her to make necessary arrangements, especially when she is required to report today.

9. In the peculiar facts and circumstances of the case, the Petitioner is granted one week's accommodation from today to report for duty in Rajasthan in terms of the impugned order.

10. It is clarified that this indulgence is granted purely on humanitarian and equitable grounds, in the peculiar facts of the present case.



11. With the aforesaid directions, the present petition, along with the pending application, stands disposed of.

**SANJEEV NARULA, J**

**APRIL 20, 2026**

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