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

+ **W.P.(C) 5451/2026**

MUKESH KUMAR

.....Petitioner

Through: Mr. Vipin Kumar Yadav, Adv.

versus

DIRECTORATE GENERAL INDO-TIBETAN

BORDER POLICE & ORS.

.....Respondents

Through: Mr. Bhounik Nayyar, Senior
Panel Counsel with Mr.
Davender Singh Dy. JAG,
ITBP.

CORAM:

HON'BLE MR. JUSTICE ANIL KSHETARPAL

HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

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23.04.2026

CM APPL. 26652/2026 [for exemption]

1. Allowed, subject to all just exceptions.
2. Application stands disposed of.

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3. Through the present writ petition, the Petitioner prays as under :

- (i) *This Hon'ble Court may graciously issue an appropriate order or orders or directions or writ including Writ of Certiorari by quashing the impugned transfer order dated 18.02.2026 to the extent the same pertains to Petitioner, issued from the office of Respondent No. 2, whereby the Petitioner was arbitrarily retained at 62nd Battalion, Arunachal Pradesh rejecting the compassionate appeal of the Petitioner;*
- (ii) *This Hon'ble Court may graciously issue an appropriate order or orders or directions or writ including Writ of Mandamus directing the Respondents, particularly respondent no.2 to reconsider the case of the Petitioner on compassionate grounds and transfer him to Delhi or nearby station to enable him to get*



- proper medical treatment for his permanently disabled son;*
- (iii) *This Hon'ble Court may consequently further be pleased to direct the respondents not to take any coercive action and/or stop salary of the Petitioner for his absence during the pendency of the present proceedings;*
- (iv) *And pass such other or further order or orders or grant any other relief that this Hon'ble Court may deem just and equitable in the facts and circumstances of the case."*

4. The Petitioner was posted in 62nd Battalion, located in Arunachal Pradesh, in the year 2025.

5. The Petitioner made a request to the Authorities to change his posting to Delhi, on account of the fact that his son is suffering from Cerebral Palsy with 60% permanent locomotor disability. However, the same has not been accepted by the Respondents.

6. Learned counsel representing the Petitioner submits that the present is a mercy petition and the Respondents are expected to consider the Petitioner's request as per their policy decision.

7. Keeping in view the aforesaid position, the present Writ Petition is disposed of while directing the Respondents to decide the Petitioner's representation sympathetically.

ANIL KSHETARPAL, J

AMIT MAHAJAN, J

APRIL 23, 2026

'KDK'