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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(C) 16965/2025, CM APPL. 69768/2025 & CM APPL. 32904/2026

SGT PAWAN KUMAR 904190

.....Petitioner

Through: Mr. Ajeet Yadav, Mr. Vivek Bhai Patel, Mr. Mahir Arifi & Mr. Prabhash Kumar Singh, Advs.

versus

UOI & ORS.

.....Respondents

Through: Mr. Kartik Kaushal, SPC with Karan, Wg Cdr K Srikanth & SGT Vikash Kumar for IAF legal cell

CORAM:

HON'BLE MR. JUSTICE ANIL KSHETARPAL

HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

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21.05.2026

1. By the present petition, the Petitioner essentially challenges the correctness of his transfer from one place to another.
2. On 11.11.2025, the following order was passed:

“W.P.(C) 16965/2025 & CM APPL. 69768/2025 (Stay)”

1. The petitioner seeks stay of his transfer to Silchar, Assam on the ground that his son is half way through his Class XII session.

2. He relies on the following clause of the applicable policy:

“Screening on Children Education Grounds

46. The option of screening is also available to an airman on grounds of children education only for Classes XI to XII. This option is not available for education of children beyond Class XII. This requirement is known to the individual well in advance and hence, applications have to be submitted as early as possible and in any case two years prior to tenure completion at the Station/Unit.



No application will be entertained within the last two years of tenure completion. This however, will be restricted to two eldest children only. In certain cases, it may not be possible to screen an airman on Children Education Grounds due to service constraints. However, he can be facilitated with posting to a place with good education facility. Air warrior should submit undertaking as per Appendix N.”

3. Mr. Kartik Kaushal, learned SPC for the respondents, submits that the transfer of the petitioner was on disciplinary grounds.

4. The order of the petitioner’s transfer does not say so. To a query from the Court, learned Counsel for the respondent also acknowledges that there is no such communication to the petitioner stating that he was being transferred on disciplinary grounds.

5. In that view of the matter, issue notice to show cause as to why rule nisi be not issued.

6. Notice is accepted on behalf of the respondents by Mr. Kartik Kaushal.

7. Counter-affidavit/Reply, if any, be filed within four weeks with advance copy to learned Counsel for the petitioner who may file rejoinder thereto within four weeks thereof.

8. List before the Joint Registrar on 23 January 2026 for completion of pleadings.

9. Till the next date of hearing, the implementation of the order transferring the petitioner to Silchar, Assam shall remain stayed.”

3. Admittedly, the matriculation examination is over.

4. In view of the aforesaid, the writ petition is disposed of.

ANIL KSHETARPAL, J

AMIT MAHAJAN, J

MAY 21, 2026

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