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

+ W.P.(C) 5815/2017

ASHISH SHARMA Petitioner
Through Mr.Anuj Aggarwal, Adv.

versus

UNION OF INDIA & ORS Respondents
Through Mr.Abhay Prakash Sahay, CGSC
with Ms.J.Priyadarshini, Adv for R-1.

CORAM:
HON'BLE MR. JUSTICE SANJIV KHANNA
HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER
% **14.07.2017**

CM No.24243/2017 (Exemption)

Exemption allowed, subject to all just exceptions.

Application stands disposed of.

WP (C) 5815/2017 & CM No.24244/2017 (stay)

The petitioner by this petition impugns the order/ letter dated 25.05.2017 to the extent that the petitioner has been transferred on Temporary Duty to Recruitment Training Centre (RTC), Bhilai, Eastern Sector.

During the course of arguments, learned counsel for the petitioner had challenged the transfer relying upon the Transfer Policy dated 15.02.2012. He submits that the petitioner, who joined the service as Sub-Inspector in Central Industrial Security Force (CISF) has completed first tenure of 9 years in units outside the Home Zone excluding training. In the second

tenure of 10 years the petitioner is entitled to be posted in the units in the home zone. The petitioner, who belongs to Northern Zone, has been now posted in the Eastern Zone.

Learned counsel for the respondents who appeared on advance notice, has submitted on instruction that the petitioner has been promoted as Inspector and as there is no vacancy in the units of the home zone in the promotional post, he has been posted at Dhanbad/Bhilai. Learned counsel for the respondents on instruction has stated that as and when, there is any vacancy in the post of Inspector in any unit of the home zone, the petitioner would be considered and appropriate posting order would be passed. It is pointed out that this affirmation is also made in the letter/office order dated 19.06.2017 wherein it is stated that as and when clear vacancy arises in the Northern Sector, the petitioner's case would be considered sympathetically.

In view of the statement of learned counsel for the respondents, learned counsel for the petitioner states that he would like to withdraw the present writ petition and in case any grievances arises in future and if respondents would not consider the petitioner for re-transfer in the home zone, he would file afresh petition.

In view of the submission of learned counsel for the respondents and the petitioner, this petition is disposed of as withdrawn with liberty as sought.

SANJIV KHANNA, J

NAVIN CHAWLA, J

JULY 14, 2017/vp