



2026:DHC:1695-DB



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

+ **Date of Decision: 25.02.2026**

% **LPA 93/2026 & CM APPL. 12816/2026**

BHARTI SHAMI

.....Appellant

Through: Mr. Rajesh Katyal, Adv. with
appellant in person.

versus

UNION OF INDIA & ORS.

.....Respondents

Through: Ms.Shubhi Bhardwaj, SPC with
Mr.Deepansh, GP, for R-1/UOI.
Mr.O.P. Gaggar, Adv. with
Mr.Sachindra Karn, Adv. for R-2 and
R-3.

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE TEJAS KARIA

DEVENDRA KUMAR UPADHYAYA, CJ. (ORAL)

CM APPL. 12817/2026 (for exemption)

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

LPA 93/2026 & CM APPL. 12816/2026 (for stay)

3. This intra-court appeal seeks to challenge the order dated 21.01.2026 passed by learned Single Judge, whereby *W.P.(C) 825/2026* filed by the petitioner/appellant challenging the order of transfer dated 08.06.2024 has been dismissed.



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4. The appellant is working as a Manager in Union Bank of India. She has all alone been posted in Delhi on her recruitment in the year 2013 and vide order dated 08.06.2024, the respondent – Bank transferred the appellant to Zonal Office, Mumbai. Against the said transfer order, the appellant submitted a representation with the prayer to retain her at Delhi on the ground that she is unmarried and she has to look after her ageing parents on account of their medical condition. The representation made by the appellant against the transfer order was, however, rejected by means of the communication made by the respondent – Bank, dated 08.12.2025. Challenging the order of transfer as also the communication dated 08.12.2025, the appellant instituted the proceedings of a writ petition before this Court, which has been dismissed.

5. The main plank of arguments of the learned counsel for the appellant is a Circular letter dated 08.08.2014 issued by the Department of Financial Services, Ministry of Finance, Government of India, which is addressed to the Chairman of All Public Sector Banks, wherein it has been stated that the unmarried female employees on their request, as far as possible, be accommodated at a better place, where their parents are stationed or as near as possible to that place.

6. It has also been argued by learned counsel for the appellant that there are certain similarly circumstanced employees, who have been retained in Delhi, however, the appellant has been discriminated.

7. The aforesaid two grounds taken by the appellant impeaching the transfer order, in our opinion, are not tenable.



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8. Firstly, the Circular letter dated 08.08.2014 does not have any statutory force and further that even the said Circular provides that such accommodation of a female employee at a place where her parents are stationed will be made “as far as possible”. The latitude, thus, available in the Circular letter dated 08.08.2014 for posting such employees is dependent on the exigency in which such decisions are to be taken by the Bank Management.

9. Secondly, the ground of discrimination in the matter of transfer, in our opinion, is not tenable for the reason that it is the Bank Management which has to take decision considering the exigencies of administration and their administrative requirement for the purposes of transfer and posting of a particular employee to a particular place. Retention at a particular place of posting cannot be pleaded by any employee as a matter of right. Transfer, as legally understood, is an exigency of service and the appellant in this case ever since she joined the services of the respondent – Bank was aware that she owes an all India transferable liability.

10. It is settled law, as held by the Hon’ble Supreme Court in the case of *Shilpi Bose (Mrs) v. State of Bihar, 1991 Supp (2) SCC 659* that transfer order can be challenged only in case of violation of any statutory provision or if the same is founded on strong malafide.

11. The appellant in this case has utterly failed to establish any of her right to be placed at a particular place of posting. She has also not been able to show violation of any statutory rule and further that no case of malafide has been pleaded.



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12. For all the aforesaid reasons, we are in complete agreement with the order passed by learned Single Judge.

13. Accordingly, the appeal fails, which is hereby dismissed along with pending application.

DEVENDRA KUMAR UPADHYAYA, CJ

TEJAS KARIA, J

FEBRUARY 25, 2026

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