



2025:DHC:6738-DB



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

+ **W.P.(C) 11526/2025 & CM APPL. 47170/2025**

SUDHEER KUMAR

.....Petitioner

Through: Mr. Abhay Kumar Bhargava,
Mr. Satyaarth Sinha and Ms. Khushi, Advts.

versus

UNION OF INDIA & ORS.

.....Respondents

Through: Mr. Gaurav Sharma, SPC for
UOI with Mr. Sachin Singh, Adv., Mr.
Ankur Yadav, GP with Mr. Ajay Pal, Law
Officer and Mr. Vinod, Legal Officer,
CRPF.

CORAM:

HON'BLE MR. JUSTICE C. HARI SHANKAR

HON'BLE MR. JUSTICE OM PRAKASH SHUKLA

JUDGMENT (ORAL)

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08.08.2025

C. HARI SHANKAR, J.

1. The petitioner is posted as Inspector (Ministerial) in the Gazetted Officers' Entitlement Branch, Directorate General, CRPF, New Delhi.

2. *Vide* order dated 11 January 2025, the petitioner's tenure at the Gazetted Officers' Entitlement Cell¹ was extended till 9 January 2026, after approval of the competent authority.

¹ "GOEC" hereinafter



3. During the aforesaid period of extension, an order was issued on 9 April 2025, transferring as many as 33 officers/officials to various other postings. The petitioner's name figures at Serial No. 24. Column 5 of the transfer order is headed "Transfer/Allotted Type". The transfer order makes it clear that, in respect of all the 33 officers covered by the transfer order, the transfer is on administrative reasons. In the last column, against the petitioner's name, under the head "Remarks", the following has been entered:

"Official presently attached with GOS Entt. Cell Adm Branch, Dte. Attachment extension if any granted to the Official is hereby cancelled and he is stand relieved from attachment duty w.e.f 01/06/2025."

4. The petitioner represented against the aforesaid transfer order in May 2025, seeking that he be transferred to one of the other Battalions located in Bantalab, Pinjore, Jalandhar, Gwalior, Rampur or any other Delhi-NCR based unit. He sought a personal audience, which was rejected.

5. Thereafter, the following order dated 11 July 2025 was passed (extracted to the extent it applies to the petitioner):

"ORDER

Following officials have taken Personal Audience of IG (Pers) in connection with transfer / retention. Their cases have been examined vis-a-vis their PPPs, Transfer Policy, Grounds of Request, Vacancy Position as well as other administrative & operational feasibility / constraints of the Force and orders of the Competent authority are mentioned against each as under:-



Sl. No.	Name, Rank, Force No	UNIT	Request of the Officer	Date	Deciding Authority	Remarks
2	SUDHEER KUMAR, INSP MIN, 911530273	GC-AJM-2	Transfer to 06 BN/16 BN/51 BN/63 BN/84 BN/GC BTB/GC PJR/GC JDR/GC GWL/GC RPR or any Delhi NCR based office(s)/ Unit(s).	10/07/2025	IG (Pers)Dte	Official is presently attached with GOs Entt Section and under order of transfer on de-attachment to 20 BN. His instant request considered but could not be acceded to due to administrative and functional requirement of the Force. Official may please be relieved immediately for new place of posting.

02. Reference :: Personal Audience of IG (Pers) dated 10/07/2025.

All concerned Unit/Office are directed to inform the above personnel accordingly.”

6. Thus, the petitioner’s representation has been rejected with reasons. It is stated that his request could not be considered owing to administrative and functional requirements of the CRPF.

7. Aggrieved thereby, the petitioner has instituted the present writ petition, seeking quashing of the order transferring him to Assam.

8. One of the contentions of the petitioner was that he had not got



an opportunity to provide 28 choices of postings on the SAMBHAV/SANTOS App, which was usually provided to officers who were intended to be transferred as per Circular dated 31 March 2022 issued by the Director General², CRPF.

9. Mr. Gaurav Sharma, learned SPC for the respondents has pointed out that the aforesaid circular applies only to Summer Chain Transfers and that the petitioner was not a Summer Chain Transfer.

10. We find this submission of Mr. Sharma, to the effect that Circular dated 31 March 2022 applies only to Summer Chain Transfers, to be correct. We may, for ready reference, reproduce the initial paras of the guidelines contained in the said circular, thus:

“Guidelines for SANTOS:-

(I) For Individual

“SANTOS” menu has been integrated with "Sambhav" mobile application. Login into "Sambhav" with your User ID/Password, if you are in transfer list. Following menu would be available to you:-

- (i) Hardship score
- (ii) Eligible Units/Establishments
- (iii) Ineligible Units/Establishments
- (iv) Record choices
- (v) View/Revise choices

After opening "SANTOS" menu in your mobile click on the menu option. Check your hardship score on clicking sub menu “See hardship Score”. Check your hardship score and then click on Sub menu "Eligible Units/Establishments" and check your eligibility for transfer to Unit/establishments. Then click on “Record Choice” sub-menu for filling up choices for SCT-2022.

² “DG”, hereinafter



Three options will appear for filling up choices:-

- Summer Chain-General
- Summer Chain- Special
- Summer Chain- Retention

Summer Chain General menu is common for all transferees who are due for SCT. All have to compulsorily fill the prescribed number of choices. For Summer Chain Special or Summer Chain Retention, officials are suggested not to fill this category in routine manner. Only exceptional and genuine cases will be considered under these two categories.”

11. Mr. Abhay Kumar Bhargava’s contention is that, at the time when officers were being considered for Summer Chain Transfer, his tenure in Delhi was extended and that, therefore, the app was not made available to him.

12. That, in our view, is a pure administrative decision, with which this Court cannot interfere. The issue of the officers whose tenure should be extended and who should be transferred under the Summer Chain Transfer Scheme is a matter of pure executive discretion and we would be reluctant to interfere in such matters.

13. The fact remains that the petitioner’s was not a case of Summer Chain Transfer and that, therefore, the Circular dated 31 March 2022 of the DG, CRPF would not apply to the petitioner.

14. Mr. Bhargava further submits that the respondents, without due justification, has curtailed his extended tenure midway and has transferred him to Assam. He submits that it was for this reason that he has filed a representation against the transfer.



15. The representation, as we have already noted, stands rejected. In the rejection order, the respondent has clearly stated that the petitioner's request could not be acceded to, as his transfer was necessitated in view of administrative and functional requirements of the Force. Beyond this, as we are dealing with a paramilitary Force, we cannot insist on the respondents disclosing any reasons, especially as the petitioner has not attributed any *mala fides* or other administrative lapse to the respondents.

16. Mr. Bhargava is also characteristically candid in his submission that there is no real instruction which proscribes curtailment of the tenure of the petitioner once it was extended. He submits, however, that any such curtailment has to be for genuine and valid reasons.

17. We agree with the submission. However, as the respondents have stated that the tenure had to be curtailed and he had to be posted to Assam because of administrative and functional requirements of the Force, we regard these as sufficient reasons.

18. Besides, we find that the petitioner's is not an isolated case of transfer. The impugned transfer order transfers as many as 33 officers. It was obviously a bulk exercise, conducted in order to ensure optimum performance of the Force, keeping in mind its administrative requirements.

19. In the absence of any plea of *mala fides* or other serious



infirmity in the transfer of the petitioner, we find ourselves unable to interfere.

20. We, accordingly, do not find this a case which warrants exercise of extra-ordinary jurisdiction under Article 226 of the Constitution of India.

21. The writ petition is accordingly dismissed.

22. However, this would not preclude the petitioner from representing to the respondents, setting out any compelling circumstances on the basis of which he may seek relief. In the event of any such representation being made, the present order would not stand in the way of a compassionate view being taken by the respondents – of course, in accordance with law.

23. The petitioner seeks that he be granted three weeks' time to join at the transferred place. The request is reasonable. Accordingly, the petitioner is granted three weeks' time to join at the transferred place of posting.

C. HARI SHANKAR, J

OM PRAKASH SHUKLA, J

AUGUST 8, 2025/gunn