



2025:DHC:9459-DB



\$~58

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ W.P.(C) 16323/2025, CM APPL. 66818/2025 & CM APPL. 66819/2025
ASI(M) SADHNAPetitioner

Through: Mr. Anuj Aggarwal, Mr. Mayank Chauhan and Mr. Prabhav Pachauri, Advs.

versus

UNION OF INDIA & ORS.Respondents
Through: Ms. Pratima N. Lakra CGSC, Mr. Aditya Kashyap GP
Mr Vinod Sawant Law Officer CRPF, Insp Athurv CRPF, Mr Ramniwas Yadav CRPF

CORAM:
HON'BLE MR. JUSTICE C. HARI SHANKAR
HON'BLE MR. JUSTICE OM PRAKASH SHUKLA

JUDGMENT (ORAL)

% **28.10.2025**

C. HARI SHANKAR, J

1. The petitioner assails her transfer from Jharoda Kalan, New Delhi to Pinjore.
2. The grounds urged by Mr. Aggarwal, learned Counsel for the petitioner, to sustain the challenge, are that (i) the petitioner is presently participating in an inquiry following allegations of sexual harassment made by her against her senior officer, (ii) her children are school going and the academic session is ongoing presently and (iii) the petitioner has family support in Delhi.



3. To our mind, these considerations cannot constitute legitimate grounds on the basis of which we could interdict the petitioner's transfer.
4. The petitioner is an employee of a para-military force. Courts have to be circumspect in interfering with postings of persons in paramilitary forces unless the posting is *prima facie* violative of some established Rule, guideline or norm is found to be *mala fide* or based on ulterior considerations.
5. No such infirmity plagues the transfer of the petitioner to Pinjore in the present case.
6. Mr. Aggarwal has not been able to show us any instructions on the basis of which the petitioner is entitled to continue here till the end of the academic session of her children.
7. The Supreme Court even in ***Director of School Education v O. Karuppa Thevan***¹, while stating that the transfers in mid academic session should ordinarily not be resorted to, left discretion with authorities to do so, in case it was necessary keeping administrative exigencies in mind.
8. Insofar as the continuation of the petitioner's inquiry proceedings following the petitioner's allegations of sexual harassment against another officer are concerned, Mr. Aggarwal candidly acknowledges that the officer against whom the allegations

¹ 1994 Supp (2) SCC 666



2025:DHC:9459-DB



were made, has thereafter superannuated.

9. Ms. Lakra submits that the proceedings in the inquiry are at a fairly advanced stage and, if the participation of the petitioner is necessary, arrangements would be made to ensure her participation through video conferencing.

10. In that view of the matter, we are of the opinion that no case is made out for us to interfere with the petitioner's transfer.

11. The petition is dismissed in *limine*.

C. HARI SHANKAR, J

OM PRAKASH SHUKLA, J

OCTOBER 28, 2025/At