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**IN THE PUNJAB AND HARYANA HIGH COURT AT
CHANDIGARH.**

229

**CWP-8971-2021 (O&M).
Date of Decision: 07.03.2025.**

RAJESH KUMAR

...Petitioner

Versus

FOOD CORPORATION OF INDIA AND OTHERS

...Respondents

CORAM: HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present: Mr. S.K. Verma, Advocate,
for the petitioner.

Mr. Anurag Jain, Advocate, with
Ms. Chahat, Advocate,
Ms. Preeti Taneja, Advocate, and
Mr. Rahul Chaudhary, Advocate
for the respondents.

VINOD S. BHARDWAJ. J (ORAL).

Challenging the order dated 31.01.2020 whereby the petitioner
has been ordered to be transferred from Haryana region to Rajasthan along
with the order dated 16.04.2021 relieving the petitioner from Haryana and

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asking him to report for duty at Jaipur, the instant writ petition has been filed.

2 Learned counsel appearing for the petitioner contends that the petitioner was appointed as TA-III (i.e. Technical Assistant Grade-III) on 12.01.1996 and he has an unblemished career. The petitioner was promoted as TA-II in December 2004 and as TA-I in the year 2008. The department thereafter promoted the petitioner to the post of Manager Quality Control in June 2013 and posted him at District Office, Hisar. He submits that the petitioner is being repeatedly transferred from one station to another without any fault on his part and in violation of the transfer policy of the respondent-Corporation. The details of transfer orders of the petitioner are tabulated as under: -

Sr. No.	Month and year of Transfer	From	To
1	June 2014	District Office, Hisar	FSD, Hisar
2	January 2015	FSD Hisar	FSD Tohana
3	October 2015	FSD Tohana	District Office, Hisar
4	2017	District Office, Hisar	Bhattu
5	August 2018	Bhattu	District Office, Hisar
6	December 2018	District Office, Hisar	Rohtak
7	December 2019	Rohtak	Jind

3 He contends that apparently his tenure at one station has not been more than a year. He submits that despite such frequent transfers, the

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respondent-Corporation has now ordered for transfer of the petitioner from Haryana Region to Rajasthan on 31.01.2020 in violation of their own transfer policy guidelines and without the consent of the petitioner. He places reliance on the transfer guidelines issued by the respondents and circulated vide circular No.EP-03-2014-05 dated 12.02.2014. The operative part of the transfer policy reads thus:-

“The primary function of Food Corporation of India is to undertake purchase, storage, movement, transport, distribution and sale of foodgrains and other foodstuffs. In the discharge of these functions, the Corporation has to appoint sufficient number of employees and post them at various places throughout the country. In order to efficiently discharge the assigned functions, the Corporation has to expose its employees to various activities/functions and rotate them from one place to another. To regulate the placement and rotation of employees to various offices / stations Judiciously, in the best interest of the Corporation and to ensure that these are done in an objective and transparent manner, certain guidelines are hereby laid down.”

4 He further refers to the guidelines for special cases which are extracted as under:-

“4.3 Posting of husband and wife

In view of the utmost importance attached to the enhancement of women's status in all walks of life and to enable them to lead a normal family life and also to ensure the education and welfare of the children, it has been decided to consider posting / transfer of the employees in the following situations: -

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xxx xxx xxx

4.3.4 Where one spouse is employed in FCI and the other spouse is employed under the State Govt. or Central/State PSU, the spouse employed under FCI may apply to competent authority which may post the said employee to the station or if there is no post in that station to the State where the other spouse is posted.

5 He submits that the aforesaid guidelines apply to the cases where one spouse is employed in FCI and the other spouse is employed under the State Govt. or Central/State PSU. In such cases, the spouse employed with FCI may apply to competent authority which may post the said employee to that station and if there is no post on that station, to the State where the other spouse is posted. Applying the same, he submits that wife of the petitioner is a permanent employee of the Education Department Haryana and has since been working as PGT at Government Senior Secondary School, Bardana. He contends that even though the respondents have fixed the maximum tenure in a particular region, however, the said transfer tenure is a general condition and since the case of the petitioner falls under special cases, hence, the guidelines being prescribed for special cases would have an overriding effect over the general guidelines. Hence, the petitioner could not have been ordered to be transferred out of the State. He further submits that even though the respondents have later on modified the transfer guidelines by a comprehensive transfer policy notified on 22.03.2021, however, the provision as enshrined in 4.3.3 of the erstwhile transfer policy have been

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reiterated and are *pari materia* to the Clause 11.2 (d) of the said transfer policy. Hence, the transfer order of the petitioner from the region Haryana to Rajasthan being in violation of the transfer policy and is thus liable to be set aside.

6 He further contends that that the respondents have themselves retained a large number of employees in the same region despite having served for the maximum prescribed tenure of 10 years and there is no reason as to why the said parity /concession be not extended to the petitioner as well. He refers to a Division Bench judgment of this Court in the matter of **Dr. Dev Parkash Chugh Vs. State of Punjab and others passed in CWP-11172 of 2005 decided on 29.09.2005** wherein it was held that once the Government frames a policy, it cannot plead that the same is not mandatory and is not bound to follow the same. The Government can deviate from the terms of the policy only for sufficient reasons to be recorded or in the paramount public interest and if no valid and acceptable reason is recorded, the transfer order cannot be sustained. The relevant extract of the said judgment read thus:-

“(16) We are conscious of the fact that the order of transfer passed against an employee is always based on administrative exigencies and or is in public interest. Normally, the Courts refrain themselves from interfering in such orders. However, the Government has also promulgated the guide-lines/instructions to be followed by the controlling authorities so that the power to be used by them is not abused or misused or is used in a manner which would reflect colourable exercise of power. Apart from this, if the guide-lines grant protection to the employee, which is

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promulgated by the employer itself, the employer cannot be allowed to take the stand that such guide-lines are not mandatory and are only the guidelines which may be kept in mind but not to be followed stricto sensu.

(17) The Government is also not entitled to take the stands which are convenient and are termed in consonance with the terms of such guidelines by picking and choosing the particular clauses and applying them in absolute sense. The stand has to be homogenous i.e. either the guideline is treated as guideline only and while applying the same the justifiable reasons are recorded accordingly.

(18) It is the settled law that a government employee or any other servant of a Public Undertaking has no legal right to insist for being posted at a particular place. No doubt, it is the prerogative of the employer to take the best work out of its employee by keeping him at a particular post or places. However, if any such act is tainted with mala-fides or is based on some extraneous considerations and is not in consonance and conformity with the administrative reasons or is not meant in public interest or is required for a particular reason, in that case the act/action of the employer would not be justifiable.”

7 Responding to the above, learned counsel appearing for the respondent Corporation submits that the allegations made by the petitioner are ill-founded and that there has been no breach of transfer policy which have been passed strictly in accordance with the applicable transfer policy which has been applied to all the similarly placed employes of the respondent-Food Corporation of India. He contends that Regulation 17 of the Food Corporation of India (Staff) Regulations, 1971 provides that an

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employee is liable to serve anywhere in India in the service of the Corporation and to proceed on tour in the course of his official duty to any place within India or abroad and that the transfer policy has been notified with an object to rationalize the rotation of the officers and to ensure exposure of the employees by way of an objective transfer. The transfer policy of 22.03.2021 was enforced in supersession of the transfer policy circular of 2014 and that the maximum tenure permissible has been prescribed under the general guidelines under Clause 2.2 for category II officers posted in regional/zonal offices. They can serve upto a maximum period of 10 years in any regional/zonal office and for a maximum of 15 years in their entire service in a region/zonal office. The tenure prescribed under the general guidelines is extracted as under:-

(f)	For Cat-II officer posted in Region/Zonal office	Category II Officer can serve upto 10 years at a stretch in the Region/zonal office. Category II Officer can serve for a maximum of 15 years in entire service in a Region/zonal office.
(g)	For Cat-III official posted in Divisional office/Regional Office/Zonal Office/Hqrs.	Category III Officials can serve for a maximum of 15 years in a particular Divisional Office (including depots//Regional Office/Zonal Office/Hqrs in entire service.

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		Category-III officials can serve for a maximum of 05 years in a seat/Section/Depot/Division (in Zonal/ Regional office) after which he/she shall be posted to other seat/Section/Depot/Division. In no case, the official shall be posted to same place/seat where he/she has once served.
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8 He submits that Clause 11 provides for special cases regarding posting of husband and wife. The relevant part is extracted as under: -

“11.2 Posting of Husband and Wife

In view of the utmost importance attached to the enhancement of women's status in all walks of life and to enable them to lead a normal family life and also to ensure the education and welfare of the children, it has been decided to consider posting/ transfer of the employees in the following situations subject to administrative convenience: -

xxx xxx xxx

(d) where one spouse is employed in FCI and the other Spouse is employed under the State Govt or Central/State PSU, the spouse employed under FCI may apply to competent authority which may post the said employee to the station or there is no post in that station, to the State where the other spouse is posted.”

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9 He submits that the petitioner has been in service with the respondent corporation since 12.01.1996 and was promoted as Manager Quality Control which is a Category II post in June 2013. He submits that ever since the appointment of the petitioner with the respondent-FCI from 12.01.1996, he has served in the Haryana Region only and that too in and around the district Hisar. Hence, prior to the passing of the impugned order of transfer dated 31.01.2020, the petitioner had been stationed in the Haryana Region for 24 years and by current time he has already remained posted in the State of Haryana for nearly 29 years. He contends that since the petitioner was promoted to the post of Manager Quality Control in June 2013, hence, the maximum period of tenure, as per the general guidelines in a specific regional/zonal office was for a maximum period of 10 years at a stretch and for a maximum period of 15 years in the entire service, hence, he has to be transferred out of the region. He contends that the tenure of the petitioner as Category II officer, if construed from June 2013, he has already served for as many as around 12 years at a stretch in the Haryana region itself in his total 29 years of service which too is totally in the State. He contends that so far as the guidelines notified by the FCI for transfer are concerned, even though the special guidelines provide for an attempt to be made on the part of the FCI to make efforts to ensure that the husband-wife remain posted at the same station, however, the expression used therein is subject to administrative convenience and the discretion of the FCI, as is apparent from the fact that the language itself specifies that the spouse employed under the FCI 'may' apply to the competent authority which 'may' thereafter post the employee

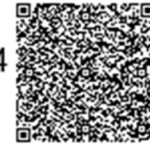
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to the said station. Hence, it is a matter of discretion to be exercised by the respondent FCI on the basis of overall administrative exigencies.

10 The counsel for the respondents further contends that no person with a stay of more than 10 years at a specific station is being retained by the respondents under the said clause. He contends that even though there are certain instances where some people have been allowed to stay, however, the details of all the said employees has been furnished by the respondent-FCI along with the communication dated 02.01.2025. The said cases were of the employees who were either suffering from terminal illness or were due to retire within two years of the said transfer order or were specially-abled and they are not the cases where the clause 11.2 (d) has been invoked by giving a benefit of spouse being at a particular station. There are thus other governing policies for such instances as well. He submits that under the guise of special guidelines, the petitioner cannot contend that Regulation 17 of the FCI (Staff) Regulations, 1971 which empowers FCI to transfer its employees at any place in India, would be rendered superfluous and otiose. Since the transparency in transfer policy in relation to all employees is to be maintained and no person has been allowed to stay in the same region/zone, who have served at a stretch for more than 10 years, hence, no exception can be carved out in favour of the petitioner. The counsel for respondent further contends that there may be so many other employees of FCI who might be wanting the same station or State posting under the said clause but cannot be so posted and given the benefit of enjoying the matrimonial company of their spouse because of non-availability of seats. Hence, the clause has to be interpreted

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holistically so as to afford the benefit of said policy to other persons as well. He further contends that there is no allegation of any mala fide or discrimination against any officials. He refers to the judgment of the Hon'ble Supreme Court in the matter of **Bank of India Vs. Jagjit Singh Mehta, reported as 1992(1) SCT 161** in relation to the similar guidelines under the Bank of India (Officer's) Service Regulation, 1979, which provide for spouses to be posted at one place. The Hon'ble Supreme Court specifically held that the same does not entitle the spouse to claim such a posting as a matter of right if the departmental authorities do not consider the same feasible. The departmental authorities may be required to allow two spouses to remain at the same station if it is possible and is without any detriment to the administrative needs and the claim of the other employees. The operative part of the same reads thus:-

“5. There can be no doubt that ordinarily and as far as practicable the husband and wife who are both employed should be posted at the same station even if their employers be different. The desirability of such a course is obvious. However, this does not mean that their place of posting should invariably be one of their choice, even though their preference may be taken into account while making the decision in accordance with the administrative needs. In the case of All-India Services, the hardship resulting from the two being posted at different stations may be unavoidable at times particularly when they belong to different services and one of them cannot be transferred to the place of the other's posting. While choosing the career and a particular service, the couple have to bear in mind this factor and be prepared to face such a hardship if the administrative

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needs and transfer policy do not permit the posting of both at one place without sacrifice of the requirements of the administration and needs of other employees. In such a case the couple have to make their choice at the threshold between career prospects and family life. After giving preference to the career prospects by accepting such a promotion or any appointment in an All-India Service with the incident of transfer to any place in India, subordinating the need of the couple living together at one station, they cannot as of right claim to be relieved of the ordinary incidents of All-India Service and avoid transfer to a different place on the ground that the spouses thereby would be posted at different places. In addition, in the present case, the respondent voluntarily gave an undertaking that he was prepared to be posted at any place in India and on that basis got promotion from the clerical cadre to the Officers' grade and thereafter he seeks to be relieved of that necessary incident on the ground that his wife has to remain at Chandigarh. No doubt the guidelines require the two spouses to be posted at one place as far as practicable, but that does not enable any spouse to claim such a posting as of right if the departmental authorities do not consider it feasible. The only thing required is that the departmental authorities should consider this aspect along with the exigencies of administration and enable the two spouses to live together at one station if it is possible without any detriment to the administrative needs and the claim of other employees.”

11 He contends that the aforesaid judgment was reiterated by the Hon'ble Supreme Court in the matter of **Union of India Vs. S.L. Abbas, reported as 1995 (4) SCT 455.** The relevant extract of the same reads thus:-

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“7. Who should be transferred where, is a matter for the appropriate authority to decide. Unless the order of transfer is vitiated by malafides or is made in violation of any statutory provisions, the Court cannot interfere with it. While ordering the transfer, there is no doubt, the authority must keep in mind the guidelines issued by the Government on the subject. Similarly if a person makes any representation with respect to this transfer, the appropriate authority must consider the same having regard to the exigencies of administration. The guidelines say that as far as possible, husband and wife must be posted at the same place. The said guideline however does not confer upon the government employee a legally enforceable right.

8. The jurisdiction of the Central Administrative Tribunal is akin to the jurisdiction of the High Court under Article 226 of the constitution of India in service matters. This is evident from a perusal of Article 323-A of the constitution. The constraints and norms which the High Court observes while exercising the said jurisdiction apply equally to the Tribunal created under Article 323-A. (We find it all the more surprising that the learned Single Member who passed the impugned order is a former Judge of the High Court and is thus aware of the norms and constraints of the writ jurisdiction.) The Administrative Tribunal is not an Appellate Authority sitting in judgment over the orders of transfer. It cannot substitute its own judgment for that of the authority competent to transfer. In this case the Tribunal has clearly exceeded its jurisdiction in interfering with the order of transfer. The order of the Tribunal reads as if it were sitting in appeal over the order of transfer made by the Senior Administrative Officer (competent authority).”

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12 By referring to the judgment in the matter of **B. Varadha Rao Vs. State of Karnataka, reported as 1986 (4) SCC 131**, he contends that a transfer being an incidence of service, the transfer orders are not to be ordinarily interfered with as it does not result in any alteration of conditions of service of the petitioner.

13 Reference is also made to a Division Bench judgment of this Court in **LPA No.16 of 2025 decided on 09.01.2025 titled as Sulekha Rani @ Sulekha Rani Hooda Vs. State of Haryana and others**, wherein the Court declined to interfere in the transfer order under similar spouse conditions.

“4. The scope of interference in transfer matters is very limited and the policy of keeping husband-and-wife together at a district cannot be for the entire life. It appears that the policy has been followed by the respondents as the appellant continued to work upto November, 2024 at the same place namely Karnal where her husband is working and it is now that she has been transferred after she was promoted as Senior Scientific Officer on 21.08.2024.

5. Having accepted her promotion, the appellant could not claim to continue at the same place. The grievance relating to family circumstances is a factor which is common with all the employees who have a transferable job. The same, therefore, cannot be a reason to interfere with the transfer order. More so, all senior officers are required to be posted at various places during their tenure of higher post. The representation has, therefore, been rightly rejected by the respondents. The appellant, of course, can always move appropriate

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representation as and when the next transfers are made by the State Government.”

14 He also refers to the judgment passed in CWP No.35080 of 2024, decided on 20.12.2024 titled **titled as Sulekha Rani @ Sulekha Rani Hooda Vs. State of Haryana and others** wherein while dismissing the claim of the petitioner, this Court placed reliance on the judgment of the Hon'ble Supreme Court in the matter of **S.L. Abaas (supra)** and contends that that the said judgment still holds the field in law.

15 He also makes a reference to the order dated 24.02.2020 passed by a Division Bench of this Court in **LPA No.247 of 2020 titled as Nisha vs. State of Haryana**, wherein even though the transfer orders were passed prior to the expiry of the tenure, however, the Division Bench refused to interfere in the order of transfer, the same being an exigency of service.

16 Reference is also made by the counsel for the respondent Corporation to the Division Bench judgment of this Court in the matter of **Jit Singh Mallah Vs. Punjab State Electricity Board and another, reported as 2007 (2) SCT 155**, wherein it was held that the transfer policy is a mere guideline and cannot be said to be mandatory and does not create any legal right. Transfer in the life of employees is an incidence of service and Courts should not normally interfere in the transfer orders unless it is shown to be vitiated on account of mala fide or violation of statutory provision or having been passed by incompetent authority. Since none of the said circumstances exist in the present case, hence, the interference in the order of transfer cannot

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be made. He submits that even in a subsequent judgment of the Division Bench of this Court in the matter of **Mukhwinder Singh Vs. State of Punjab, reported as 2008 (4) SCT 645**, it was held that the transfer policy is for guidance of its officers and are not enforceable so as to challenge the transfer. The transfer policy guidelines do not vest any immunity in an employee from a transfer. No government employee can claim to remain at a particular place or post of his choice.

17 Referring to the above, learned counsel for the respondent-corporation contends that the reliance placed by the counsel for the petitioner on the judgment in the matter of **Dr. Dev Parkash Chugh (supra)** would be inconsequential since the consistent view of the Hon'ble Supreme Court as well as this Court has been that transfer policies are mere guidelines and are not enforceable by the petitioner unless such transfer order is said to be vitiated by mala fide or suffer from want of competence.

18 I have heard the learned counsel appearing for the respective parties and have gone through the documents appended along with the present petition as also the judgments cited by them in support of their respective contentions.

19 The undisputed facts that emerge from a perusal of the documents appended with the present petition as well as the judgments cited on behalf of the respective parties are that the Regulation 17 of the FCI (Staff) Regulation, 1971, specifically empowers the respondent-Corporation to transfer an employee to any place in the Country. The comprehensive transfer policy guidelines were issued by the respondent authorities on 22.03.2021.

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As per the objective of the said transfer policy, the transfers are required to be carried out to regulate the placement and rotation of employees to various offices / stations judiciously and in the best interest of the corporation and to ensure transparency. Further, the guidelines prescribe a maximum period for Class II Category employee posted at a particular region/zone as upto a period of 10 years at a stretch. Hence, once a person is posted in a specific region/zone, he can remain posted in that region/zone without any break for a period of 10 years. **The total service period for which a category II officer can remain posted in the said zone is 15 years. Undisputedly, the petitioner has already worked in the Haryana Region after being promoted to the category II officer in June 2013 for a period of more than 12 years as on the date.**

20 It is also evident that under the erstwhile transfer policy dated 12.02.2014, which was in force when the order of transfer of the petitioner was issued. Clause 2.3 of the said policy reads as under: -

“2.3 All employees on promotion will be required to go on transfer to the new place of posting wherever, whenever required. However, Category III & IV may be considered for posting within region on promotion, if vacant post is available subject to administrative convenience.”

21 Hence, as the guidelines for posting within the region, on promotion, were applicable only to Category III officers but so far as the Category II officers are concerned, they were required to be posted on

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transfer to a new place of posting wherever and whenever required. There was no specified minimum term for which a person could have claimed his posting except under special categories. The petitioner being in category II, since June 2013, he could have been transferred to any place of posting whenever and wherever required. The said transfer policy clause was made more employee friendly by the respondent corporation by providing a maximum tenure of 10 years in a particular region. It is also established that even though the petitioner had remained posted in the same region for a period of nearly 07 years and by this time the petitioner has been already serving continuously in the same region for nearly 12 years and his total stay in the said region has been uninterrupted ever since his employment with the respondent FCI, has been 29 years. Apparently, it would be inappropriate to comprehend that notwithstanding the transfer policy which mandated that every employee is subject to transfer to any place or station as per the administrative needs and requirements of the respondents, yet by taking recourse to the said policy guidelines, one employee may claim a perennial right to stay within one particular place and not at other.

22 The Hon'ble Supreme Court in the judgment of **Bank of India Vs. Jagjit Singh Mehta, (supra)** has held to an extent that an employee cannot claim dominance of his conjugal rights over the rights of an employer to post his employee at a place of his choice for optimal utilization of the manpower. It was held that once a couple opts to enter into a service, they would be required to be conscious of the exigencies of service and the incidences attached to it including that of posting out of station. It is thus a

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conscious decision taken by a couple to yet accept such an assignment / appointment and that at the time of exercise of rights by the employer in posting an employee for administrative reasons, for ensuring transparency and fairness to offer the equality of opportunity to other employees or to maintain parity, the right of the employer cannot be subjugated to the preferences of an employee. It was also held that the transfer policies are nothing more than guidelines, hence, the same are to be adhered to and to be taken note of by the respondents only to the extent possible.

23 It is also noticed by this Court that consequent on the petitioner submitting that a number of employees who completed more than 10 years' service have not been transferred, an affidavit was called for from the respondent. The same was filed and the specific details have been given by the respondents about the exceptional categories who were either suffering from some terminal illness such as liver cancer or other cancers/life endangering diseases or were on the verge of retirement or were specially abled and hence cannot be equated to the case of petitioner which is a case of convenience and comfort of having the benefit of enjoying a family life. Hence, the case of the petitioner is completely distinguishable and comparing convenience with impending hardships cannot be placed on the same pedestal. The petitioner cannot claim any equality with such employees. It is further noticed that despite the aforesaid details having been furnished by the respondent corporation by way of an affidavit before this Court, no rejoinder/denial to the same has been filed by the petitioner. The reasons for extension mentioned therein are not only judicious but are also showing a

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conscientious application of mind by the respondents to the hardship of its employees. Its efforts to make it convenient for all employees cannot be perceived as derogation /dilution of the policy guidelines. There is also no allegation of any mala fide, abuse of power or lack of competence and under the said circumstances, the order in question cannot be interfered with as has been held in the catena of judgments passed by this Court.

24 Examining the case in an entirety, special circumstances do create certain rights in favour of a person to claim some concession as compared to others under general conditions, however, once the maximum tenure of a posting in a region as fixed in the policy guidelines comes to an end, a person cannot claim as a matter of right that notwithstanding the maximum tenure having been fixed under the policy guidelines, an employer cannot transfer them. In such a condition the transfer policy would pale into insignificance and the maximum term shall have no bearing or binding effect on family cases or for spousal companionship.

25 The position of law being well settled that a transfer is an incidence of service and the same cannot be perceived as an alteration of the terms and conditions of the engagement to the prejudice of an employee, I find myself in respectful agreement with proposition of law laid down by the Hon'ble Supreme Court as well as the Division Bench of this Court in the judgments as cited by the counsel for the respondent-Corporation.

26 At this juncture, counsel for the petitioner contends that the case of the petitioner is on better footing than the sportspersons and they cannot be given any preference. I find that the contention of the petitioner is like

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comparing the oranges with the apples. The situation of an outstanding sports person who is required to prepare and participate in an event and is engaged by the organizations only as a part of the guidelines to grant impetus to the sports persons cannot be an equitable circumstance. Moreover, the state policy is to promote participation of sports persons and to provide them sufficient avenues so that they are not worried about their bread and butter. The overall objective behind providing beneficial provisions and providing employment opportunities to the sports persons cannot be defeated by sending them to far away places where they would have no access to the sports facilities or would not be in a position to participate in the competitive sports. They are governed by separate instructions and, hence, the circumstances are materially different.

27 Consequently, the present writ petition is dismissed.

28 Pending misc. application(s), if any, shall also stand(s) disposed of accordingly.

March 07, 2025.
raj arora

(VINOD S. BHARDWAJ)
JUDGE

Whether speaking/reasoned : *Yes/No*
Whether reportable : *Yes/No*