

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 3330 of 2016

Smt. Seema Rani Gupta W/o. Praveen Kumar Gupta, (A. N. M.), Aged About 37 Years R/o Village & Post : Batauli, Tahsil : Batauli, District : Surguja (Chhattisgarh).

---- Petitioner

Versus

1. State Of Chhattisgarh Through : The Secretary, Health & Family Welfare Department, Mahanadi Bhawan, Mantralaya, New Raipur, Police Station : Rakhi, District : Raipur (Chhattisgarh).
2. The Collector, Surguja (Ambikapur), District : Surguja (Chhattisgarh)
3. Chief Medical & Health Officer Ambikapur, District Surguja (Chhattisgarh)
4. Block Medical Officer, Batauli, District Surguja (Chhattisgarh)
5. Block Medical Officer, Udaypur, District : Surguja (Chhattisgarh)

---- Respondents

Shri Pushpendra Kumar Patel, counsel for the petitioner/s.
Shri Gary Mukhopadhyaya, Dy.G.A. for the State.

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

02/08/2016

Heard.

The transfer order is challenged mainly on the ground that the petitioner has been posted at a place which is about 100 kms away from the place of posting of her husband who is posted as Lecturer, Panchayat in Government Higher Secondary School, Maheshpur, Block – Batauli, District – Surguja.

2. The earlier place of posting of the petitioner at Community Health Centre, Batauli is stated to be about 10 kms from the place of posting of her husband. As there is a policy of the Government to post the husband and wife either at the same place or at nearby place as far as possible, subject to administrative exigency, the petitioner's case requires consideration by the

transferring authority as to whether the petitioner can be accommodated to a place which is nearby the place of posting of her husband at Maheshpur or the husband of the petitioner can be posted at a place nearby the place where now the petitioner has been posted. This may be considered by respondent No.2 within a period of two weeks from the date of receipt of copy of this order. If no one has been posted at the place of the petitioner, the petitioner be allowed to continue.

The protective umbrella shall be available subject to the condition that this order is submitted before the concerned Collector within 10 days from today.

3. With the aforesaid observations, this petition is finally disposed off.

Sd/-
(Manindra Mohan Shrivastava)
Judge