

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 3373 of 2016

Mohan Lal Painkra S/o Sudhu Ram Painkra, Aged About 46 Years
Working As Assistant Accounts Officer, Janpad Panchayat, Kasdole,
District Baloda Bazar, Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary, Panchayat And Rural Development, Mahanadi Bhawan, Mantralaya, Naya Raipur District Raipur, Chhattisgarh.
2. Commissioner Cum Director, Panchayat And Rural Development, Indrawati Bhawan, Raipur, Chhattisgarh.

---- Respondents

For Petitioner : Shri CJK Rao, Advocate
For Respondent-State : Shri D.R. Minj, Dy. G.A., on advance copy

S.B.:Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

08/08/2016

Heard on admission.

The transfer order is under challenge only on the ground that while passing transfer order, the policy of keeping husband wife together, as far as possible and subject to administrative exigency, has not been kept in view.

2. Learned counsel for the petitioner submits that the petitioner is presently posted and working as Assistant Accounts Officer, Janpad Panchayat, Kasdole and his wife is posted as Shiksha Karmi Grade-II at Kasdole. Now by the impugned order, the petitioner is being transferred

to District Korba.

3. Considering that there is a policy of the Government to keep the husband wife together as far as possible subject to administrative exigency, the case of the petitioner requires consideration. As the petitioner and his wife both have remained posted at the present place for a very long time, the respondents may consider keeping the petitioner and his wife together at one place or at nearby station. This would always be subject to administrative exigency and public interest. It could be best considered by the Transferring Authority.

4. It is, however, found that the petitioner has not preferred any representation in terms of transfer policy and has rushed to this Court. Therefore, all that can be done is that in case, the petitioner prefers representation to the State Government within a period of ten days from today, the State Government shall consider and decide the same within a period of three weeks from the date of receipt of representation. For a period of four weeks, if any other person has not joined in the place of petitioner, no coercive steps shall be taken against the petitioner.

5. The petition is accordingly disposed off.

Sd/-
(Manindra Mohan Shrivastava)
Judge