

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 3457 of 2016

Protim Kumar Banerjee S/o Late Shri K. L. Banerjee, Aged About 56 Years
Occupation- Assistant Grade- II, Office Of Deputy Director, Veterinary
Services, Rajnandaon, District Rajnandgaon (Chhattisgarh)

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary, Department Of Animal Husbandry & Veterinary Services, Mahanadi Bhawan, Mantralaya, New Raipur, District Raipur (Chhattisgarh)
2. The Additional Secretary, Department Of Animal Husbandry & Veterinary Services, Mahanadi Bhavan, Mantralaya, New Raipur, District Raipur (Chhattisgarh)
3. The Director, Veterinary Services, Directorate Of Veterinary Service, Indrawati Bhawan, Block III, Ground Floor, Naya Raipur, Tahsil & District Raipur (Chhattisgarh)

---- Respondents

For Petitioner	:	Shri Anand Shukla, Advocate
For State	:	Shri Dhiraj Wankhede, Govt. Advocate

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

Order On Board

05/08/2016

1. Heard on admission.
2. The sole ground of challenge to the transfer order is that while transferring the petitioner, the Govt. policy of keeping the husband and wife together as far as possible subject to administrative exigency has not been kept in view.
3. Submission of learned counsel for the petitioner is that the petitioner is posted as Assistant Grade-II in the office of Deputy Director, Veterinary, Rajnandgaon and his wife is also posted in the Govt. School at Rajnandgaon and now by impugned order, the petitioner has been transferred to Bemetara. He submits

that as the policy of Govt. to keep the husband and wife together as far as possible has been violated, the impugned order be set aside.

4. Considering the submissions and that there exists a policy of keeping the husband and wife together as far as possible subject to administrative exigency, the case of the petitioner requires consideration by the departmental authority. The petitioner has submitted representation to the Govt. on 1.8.2016.
5. In view of the above, this petition, at this stage, is finally disposed off with a direction to the authority to consider petitioner's representation and take decision thereon within a period of 4 weeks from the date of receipt of copy of this order. Considering that the petitioner has already remained posted for long time at the present place of posting, the Govt. may consider amendment in the transfer order to keep the husband and wife together at one or nearby station as far as possible either by changing posting of the petitioner or by changing posting of petitioner's wife.
6. For a period of 4 weeks, if no one has joined at the place of the petitioner, coercive steps shall not be taken against the petitioner.

Sd/-
(Manindra Mohan Shrivastava)
Judge