

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 3522 of 2016

D.S.Netam S/o Late Raghuveer Netam, Aged About 40 Years Presently Working As Rural Agriculture Extension Officer At Bastar, Post & Thana Baster, District Baster At Jagdalpur (Chhattisgarh).

---- Petitioner

Versus

1. State Of Chhattisgarh Through : The Secretary, Agriculture And Biotechnology Department, Mahanadi Bhawan, New Raipur (Chhattisgarh).
2. Deputy Director, Agriculture Department, Jagdalpur, District Baster At Jagdalpur (Chhattisgarh).

---- Respondents

Shri Somkant Verma, counsel for the petitioner/s.
Shri Sangharsh Pandey, Dy.G.A. for the State.

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

09/08/2016

Transfer order is under challenge only on the ground that while transferring the petitioner from Bastar proper to Katekalyan, District – Dantewada, the policy of the Government of keeping the husband and wife at a same place as far as possible, is not kept in view. It is submitted that the petitioner is posted at Bastar as Rural Agriculture Extension Officer since 2009 and his wife is posted at some other station as Teacher (Panchayat) since 2011. The new posting of the petitioner, which is now being given to the petitioner is 165 kms away.

2. It is found that the petitioner and his wife, both have completed normal period of posting at the present place. The policy of keeping the husband and wife together is an administrative matter. It is always subject to administrative exigency and public interest. However, considering that there exists a policy, petitioner's representation requires consideration. Thus, while transferring the petitioner, respondents may also consider whether petitioner's wife could be

posted at or nearby station.

3. It is found that the petitioner has not filed any representation. In these circumstances, it is directed that if the petitioner prefers representation within a period of 10 days from today, the transferring authority shall consider and decide the representation within a period of three weeks. For a period of 15 days, no coercive steps shall be taken against the petitioner.

4. With the aforesaid observations, the petition is finally disposed off.

Sd/-

(Manindra Mohan Shrivastava)

Judge