

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 3516 of 2016

- Chandra Bhaskar Patel S/o Shri Siyaram Patel, Aged About 32 Years Occupation Driver, R/o Village Dand Karwan, Post Revti, P. S. Chandora, Tahsil Pratappur, District Surajpur (Chhattisgarh).

---- Petitioner

Versus

1. State of Chhattisgarh Through The Secretary, Department Of Public Health & Family Welfare, Mahanadi Bhawan, Mantralaya, Naya Raipur, District Raipur (Chhattisgarh).
2. The Director, Health Services, Directorate Raipur, District Raipur (Chhattisgarh).
3. The Collector, District Surajpur (Chhattisgarh).
4. The Chief Medical & Health Officer, Surajpur, District Surajpur (Chhattisgarh).
5. The Block Medical Officer, Block & Tahsil Pratappur, District Surajpur (Chhattisgarh).

---- Respondents

For Petitioner : Mr. Ashok Kumar Shukla, Advocate
For State : Mr. S.P. Kale, Dy. Advocate General
on advance copy

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

12/08/2016

Heard.

1. The transfer order is under challenge on the ground that the petitioner has been transferred to a place which is 100 km away without keeping in view of the Transfer Policy of State Government to keep husband wife together either at the same station or nearby station as far as possible subject to administrative exigency. It is submitted that wife of the petitioner is posted as Anganbadi Worker at Anganbadi Center Bhuranidand, Pratapur. It is next submitted that petitioner has two small children. At this stage, if the petitioner is transferred, he would suffer serious hardship.

2. The petitioner's wife is a contractual employee and not a regular employee, therefore, the Policy does not apply in the matter. All other grounds are matters of personal difficulty, therefore, there is no ground for interference by the Writ Court. However, if the petitioner prefers representation before the transferring authority, the same shall be considered and decided by the transferring authority at the earliest preferably within four weeks.
3. The petition is accordingly disposed off.

Sd/-
(Manindra Mohan Shrivastava)
Judge

Chandra