

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 3658 of 2016

Purushottam Patel S/o Late Chhabilal Patel, Aged About 55 Years
Presently Posted As Principal Government Higher Secondary School,
Tumkan Block Kartala District Korba R/o Village And Post Barpali, Near
S.B.I. Bank, Via Bhaisma Police Station Uрга District Korba Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Government Of Chhattisgarh, Department Of Education Mahanadi Bhawan Mantralaya Naya Raipur 492001 Chhattisgarh
2. Deputy Secretary, Through Government Of Chhattisgarh Department Of Education Mahandi Bhawan, Mantralaya, Naya Raipur 492001 Chhattisgarh
3. The Collector, Korba, District Korba Chhattisgarh
4. District Education Officer, Korba, District Korba Chhattisgarh

---- Respondents

For Petitioner	: Shri Prashant Gupta, Advocate
For State	: Shri Gary Mukhopadhyay, Dy. Govt. Advocate

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

Order On Board

11/08/2016

Heard on admission.

1. Transfer order is under challenge on the ground that the petitioner has been transferred to a place which is about 70 k.m. away from present place of posting. The wife of the petitioner is also Assistant Teacher posted in a school which is at a distance of less than 10 k.m. While transferring the petitioner, the policy of keeping husband and wife together at one station as far as possible has not been kept in view.
2. It is found that the petitioner has remained posted at the present place of posting since last 3 years. That means, he has become due for transfer

under exigency of service. However, keeping in view that there is a policy to keep husband and wife together as far as possible and subject to exigency of service, the case of the petitioner requires consideration whether the wife of the petitioner can be adjusted in any school which is nearer to new place of posting of the petitioner.

3. If the petitioner prefers representation in 10 days, the competent authority shall consider and decide the same within a period of 4 weeks from the date of receipt of the representation.
4. With the aforesaid observation/direction, the petition is finally disposed off.

Sd/-
(Manindra Mohan Shrivastava)
Judge