

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No.3661 of 2016

- Subodh Khalkho S/o Shri Josheph Khalkho, Aged About 43 Years Presently Working As Rural Agriculture, Extension Officer At Bemetara Post & Tahana Bemetara, Post & Thana Bemetara District Bemetara Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Agriculture And Biotechnology Department, Mahanadi Bhawan, New Raipur Chhattisgarh
2. Director, Agriculture, Department, Indrawati Bhawan, New Raipur, Chhattisgarh

---- Respondents

For Petitioner	:	Shri Somkant Verma, Advocate
For Respondent/State	:	Shri Gary Mukhopadhyay, Dy.GA

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

11/08/2016

The transfer order is under challenge on the ground that while transferring the petitioner from Bemetara to Ramanujgan, which is 300 Kilometers away from the present place of posting, government transfer policy to keep husband and wife together in one station as far as possible subject to administrative exigency, has not been kept in view. Wife of the petitioner is presently posted at Bemetara as Teacher, whereas the petitioner herein is posted as Rural Agricultural Extension Officer.

2. The petitioner has remained posted at this place since 2012. That means, for a period of about four years, the petitioner has remained posted at Bemetara itself which constitutes administrative exigency to transfer. Transfer policy of the State Government to keep husband and wife together at one station is always subject to administrative exigency and it cannot be claimed as of right. Therefore, all that can be done in such cases is to direct consideration of representation of the petitioner to explore the possibility to keep the petitioner and his wife either at the same station

where petitioner has now been transferred or nearby stations.

3. Learned counsel for petitioner submits that recommendation has also been made by the Collector in the case of the petitioner for cancellation.

4. It is found that the matter is also dealt with on administrative side.

5. In view of above, this petition is finally disposed off with a direction that the representation of the petitioner be considered and decided within a period of four weeks from the date of receipt of a copy of this order to explore the possibility to keep petitioner and his wife together as far as possible subject to administrative exigency.

Sd/-
(Manindra Mohan Shrivastava)
Judge