

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No.3766 of 2016

- T. S. Thakur S/o Shri Jalam Singh Thakur, Aged About 42 Years Working As Assistant Veterinary Officer, Vateriaary Hospital Korar, Block Bhanupratappur, District Kanker Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Veterinary Development, Department, Mantralaya, Mahanadi Bhawan, New Raipur, District Raipur Chhattisgarh
2. Collector, Kanker, District Kanker Chhattisgarh

---- Respondents

For Petitioner	:	Shri CJK Rao, Advocate
For Respondent/State	:	Shri D. R. Minz, Dy.GA

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

12/08/2016

Heard.

2. The ground of challenge against the impugned transfer order is that while transferring the petitioner from the present place of posting to a distant place i.e. Sukma, the government transfer policy to keep husband and wife together as far as possible subject to administrative exigency, has not been kept in view.
3. Learned counsel for the petitioner submits that the petitioner is posted at Bhanupratappur, District Kanker whereas his wife is also posted at Selegaon, District Kanker. By the impugned transfer order, the petitioner is now transferred to District Sukma, which is 300 Kilometers away from the present place of posting and the impugned transfer order is in violation of the government transfer policy.
4. It is found that the petitioner has remained posted at the present place of posting since 2011, therefore, he has become due for transfer and he could be

transferred. The petitioner cannot claim to continue at the present place of posting indefinitely only on the ground that his wife has been posted at nearby station.

5. However, considering the government transfer policy to keep husband and wife together as far as possible subject to administrative exigency, the petitioner may request the transferring authority by filing a representation that wife of petitioner may be transferred at the same place of posting where the petitioner has now been transferred or nearby stations. The transferring authority shall consider and decide the representation within a period of four weeks from the date of receipt of representation.

6. With the aforesaid observation, the petition is disposed off.

Sd/-
(Manindra Mohan Shrivastava)
Judge