

**NAFR**

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**WPS No. 3824 of 2016**

Smt. Shanta Saroj Tigga ( Ekka ) W/o Shri Habil Ekka, Aged About 54 Years Working On The Post Of Supervisor, Women And Child Development Department, Integrated Child Development Project, Darima ( Ambikapur-2), District Surguja, (Chhattisgarh)

**---- Petitioner**

**Versus**

1. State Of Chhattisgarh Through The Secretary, Women And Child Development Department, Mantralaya, Mahanadi Bhawan, Capital Complex, Naya Raipur, Post Office Rakhi, District Raipur, (Chhattisgarh)
2. Under Secretary, State Of Chhattisgarh, Women And Child Development Department, Mantralaya, Mahanadi Bhawan, Capital Complex, Naya Raipur, Post Office Rakhi, District Raipur, (Chhattisgarh)
3. Director, Women And Child Development Directorate Naya Raipur, District Raipur, (Chhattisgarh)
4. Collector, Surguja, Ambikapur, District Surguja, (Chhattisgarh)
5. District Program Officer, Women And Child Development Department, Ambikapur, District Surguja, (Chhattisgarh)
6. Project Officer, Integrated Child Development Project, Darima ( Ambikapur-2), Sector- Barganwa, District Surguja, (Chhattisgarh)
7. Smt. Savitri Singh, Supervisor Integrated Child Development Project Pratappur, Sector- Revti, District Surajpur, (Chhattisgarh)

**---- Respondents**

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| For Petitioner       | : | Shri V.K. Pandey, Advocate                   |
| For Respondent-State | : | Shri D.R. Minj, Dy. G.A., on<br>advance copy |

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

**Order On Board**

**17/08/2016**

Heard on admission.

1. The transfer order is under challenge on the ground that the petitioner has been transferred to Pratappur, District Surajpur whereas the husband of the petitioner sought transfer from District Koriya to District Surguja on the ground that his wife is posted in District Surguja, which was accepted and her husband was transferred to District Surguja vide order dated 23.07.2016. The very purpose of transfer of petitioner's husband, would be frustrated if the petitioner is now being transferred to a place which is about 100 km. away.

2. The facts of present petition are quite peculiar. It appears that the husband of the petitioner sought transfer on his own request from District Koriya to District Surguja presumably on the ground that the petitioner has been posted at Darima, District Surguja, which is nearer to Ambikapur. His request was accepted and he has been transferred on his own request vide order dated 23.07.2016. However, now, the petitioner has been transferred to Pratappur. This also appears to be in exigency of service because the petitioner has remained posted in the present place since last four years and she has become due for transfer.

3. The policy of keeping husband wife together is subject to administrative exigency and does not confer any right. However, the policy is to keep husband wife together either at the same stations or at nearby stations to the extent it is permissible and possible subject to administrative exigency. Therefore, in the present peculiar circumstances, where husband has been recently transferred to Ambikapur, District Surguja, the respondents may explore the possibility whether the petitioner could be posted at any place within the Surguja District considering that the husband of the

petitioner has been recently transferred at Ambikapur, District Surguja.

4. The petitioner has already submitted representation to the State Government. Let it be decided within a period of four weeks. For a period of four weeks, no coercive steps shall be taken against the petitioner on account of non joining at Pratappur. This will not affect the joining of the other officer, who may have already joined at the place of the petitioner.

5. The petition is accordingly disposed off.

Sd/-  
**(Manindra Mohan Shrivastava)**  
Judge

Rekha