

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 3855 of 2016

Sachidanand Singh S/o Parmeshwar Singh, Aged About 52 Years R/o Ring Road, Namnakala, Ambikapur, Civil And Revenue District Surguja, (Chhattisgarh)

---- Petitioner

Versus

1. State Of Chhattisgarh Through: Secretary, Commercial Tax (Excise Department), Mahanadi Bhawan, Mantralaya, Capital Complex, Naya Raipur, District Raipur, (Chhattisgarh)
2. Ramkhilawan Gupta, Excise Constable, Office Of Assistant Commissioner, Excise, District Janjgir Champa, (Chhattisgarh)
3. Ramadhar Kushwaha, Excise Constable, Office Of District Excise Officer, Dhamtari, District Dhamtari, (Chhattisgarh)
4. Surendra Kumar Salaam, Excise Constable, Office Of Assistant Commissioner, Excise, Bilaspur, District Bilaspur, (Chhattisgarh)

---- Respondents

For Petitioner	:	Shri Manoj Paranjpe, Advocate
For State	:	Shri Sangharsh Pandey, Dy. Govt. Advocate

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 while transferring the petitioner from present place of posting to Raigarh district, policy of keeping husband and wife together at one place as far as possible subject to administrative exigency has not been kept in view.
2. Learned counsel for the petitioner submits that wife of the petitioner is

also posted as Lecturer at Govt. Higher Secondary School, Rampur, Ambikapur. By transferring the petitioner to Raigarh which is about 200 k.m. away, policy of keeping the husband and wife together has not been kept in view.

3. On petitioner's own showing the petitioner has remained posted at the preset place since 2008. Therefore, he has become due for transfer and has been transferred. However, considering that there is a policy of Govt. to keep husband and wife together at the same or nearby station subject to administrative exigency, the case of the petitioner requires consideration by the respondent-authority to explore the possibility of keeping the petitioner and his wife together at the same or nearby station. The decision shall be taken by the authority within a period of 4 weeks from the date of receipt of copy of this order.
4. With the aforesaid observation/direction, the petition is finally disposed off.

Sd/-
(Manindra Mohan Shrivastava)
Judge