

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****WPS No. 4768 of 2016**

- Kartik Ram Paikra S/o Roopnarayan Sai Paikra, Aged About 43 Years Posted As Assistant Grade-2, District Transport Office, Raigarh, District Raigarh, (Chhattisgarh)

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, Transport Department, Mahanadi Bhawan, New Raipur, P.S. Rakhi, District Raipur, (Chhattisgarh)
2. The Transport Commissioner, Chhattisgarh, Indravati Bhawan, New Raipur, (Chhattisgarh)
3. The Additional Transport Commissioner, Chhattisgarh, Indravati Bhawan, New Raipur, (Chhattisgarh)
4. The District Transport Officer, Raigarh, District Raigarh, (Chhattisgarh)

---- Respondents

For Petitioner	:	Mr. Manoj Kumar Jaiswal, Advocate
For State	:	Mr. R.K. Gupta, Dy. Advocate General

Hon'ble Shri Justice Manindra Mohan Shrivastava**Order On Board****15/09/2016**

Heard.

1. The transfer order has been challenged on the ground that while transferring the petitioner, the policy of keeping husband wife together at the same place or at nearby station, as far as, possible subject to administrative exigency has not been kept in view.
2. Learned counsel for the petitioner submits that the petitioner has been transferred from Raigarh to Jagdalpur, whereas, the wife of the petitioner is posted and working as Patwari at Raigarh.

3. It is found that the petitioner has remained posted at the present place of posting since 2008, therefore, where an employee has completed normal tenure of service at one place, that by itself is sufficient to transfer him. Therefore, the petitioner is liable to be transferred. However, taking into consideration that the wife of the petitioner is posted and working as Patwari at Raigarh, the respondent may consider to explore the possibility to whether, subject to administrative exigency, it is possible to post the petitioner and his wife at one place or at nearby stations.
4. In the present case, the representation has already been preferred, which shall be considered and decided by the transferring authority within a period of four weeks from the date of receipt of a copy of this order.
5. The petition is accordingly disposed off.

Sd/-
(Manindra Mohan Shrivastava)
Judge