

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 4882 of 2016

Pritam Ram Sahu S/o Shri K. Sahu, Aged About 34 Years Lab Technician,
Community Health Center, Dhanailikanhar, Post, Thana & District Kanker
(Chhattisgarh).

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Health And Family Welfare,
Department Mahanadi Bhawan, New Raipur (Chhattisgarh).
2. The Collector, Kanker District North Baster, Kanker (Chhattisgarh).
3. Shri Devendra Kumar Sonboire, Lab Technician, Community Health Center,
Amabeda, Block Amabeda, District North Baster, Kanker (Chhattisgarh).
4. Smt. Manju Sonboire W/o Devendra Kumar Sonboire, Lab Technician, Community
Health Center, Surali Block Kanker, District North Baster, Kanker (Chhattisgarh).

---- Respondents

Shri Somkant Verma, counsel for the petitioner/s.
Shri Chandresh Shrivastava, Panel Lawyer for the State/ respondents 1 and 2 on advance
copy.

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

19/09/2016

Heard.

The transfer order is under challenge on the ground of malafide
accommodation.

2. Learned counsel for the petitioner submits that the respondent / Collector, in
order to adjust respondents 3 and 4 who are husband and wife, posted both of them
at Dhanailikanhar. However, in this process, the petitioner has been transferred to
Amabeda, which is about 85 kms away from the present place of posting. It is stated
that presently, the wife of the petitioner is posted at Kanker which is only at a
distance of 15 kms from the present place of posting of the petitioner.

3. On petitioner's own showing, the petitioner and his wife both are posted at the present place since 2013. That means, the petitioner has become due for transfer. However, considering that the petitioner claims adjustment and transfer to any other station which is nearby the place of posting of his wife, it is directed that on petitioner preferring representation in that regard within a period of 10 days from today, the same shall be considered and decided by the Collector to explore possibility, subject to exigency of service and administrative interest, whether the petitioner and his wife can be posted at or nearby station, within the jurisdiction of the Collector in District – North Bastar, Kanker. The decision shall be taken within a period of four weeks from the date of receipt of representation.

4. With the said observations, the petition is finally disposed off.

Sd/-

(Manindra Mohan Shrivastava)

Judge