

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 5543 of 2016

Smt. Asha Meshram W/o Shri Kripendra Kumar Meshram, Aged About 45 Years
R/o H. No. Mongra 626, Talpuri, Bhilai, District Durg (Chhattisgarh)

---- Petitioner

Versus

1. State Of Chhattisgarh Through : The Secretary, Child & Welfare Development Department, Mantralaya, Mahanadi Bhawan, New Raipur, District Raipur (Chhattisgarh)
2. Under Secretary, State Of Chhattisgarh, Child & Women Development Department, Mantralaya, Mahanadi Bhawan, New Raipur, District Raipur (Chhattisgarh)
3. Project Officer, Child & Women Development Department, Durg, District Durg (Chhattisgarh)

---- Respondents

Shri T.K.Tiwari, counsel for the petitioner/s.
Shri Gary Mukhopadhyaya, Dy.G.A. for the State on advance copy.

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

06/10/2016

The transfer order is under challenge on the ground that while transferring the petitioner, respondents have not kept in view the Government's policy of keeping husband and wife together at same station or at nearby station, as far as possible, subject to administrative exigency. It is submitted that at present, the petitioner is posted at Patan, District - Durg and the husband of the petitioner is posted at Village – Mangata, District – Rajnandgaon which is at a distance of about 40 kms. Now, the petitioner has been transferred to Nagari, District – Dhamtari which is about 160 kms away which may cause serious hardship to the petitioner.

2. It is found that the petitioner claims her posting at or nearby station where her husband is posted. Therefore, in these circumstances, respondents may consider this aspect as to whether subject to exigencies of service, the petitioner can be posted at any nearer station of the posting of her husband.

3. Considering the submission that the petitioner has recently suffered an accident and had an head injury, it is directed that for a period of four weeks, the petitioner shall not be compelled to join at the transferred place and the petitioner may also apply for medical leave on the ground of illness.

4. The petition is accordingly finally disposed off.

Sd/-
(Manindra Mohan Shrivastava)
Judge