

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 3795 of 2016

Smt. Sujata Haldhar W/o Sushant Kumar Haldhar, Aged About 51 Years
Posted As Paryavekshika, Child Development Project, Masturi, Sector,
Pachpedi, District Bilaspur (Chhattisgarh)

---- Petitioner

Versus

1. State Of Chhattisgarh Through : The Secretary, Child & Women Development Department, Mantralaya, Mahanadi Bhawan, New Raipur, District Raipur (Chhattisgarh)
2. Additional Secretary, State Of Chhattisgarh, Child & Women Development Department, Mantralaya, Mahanadi Bhawan, New Raipur, District Raipur (Chhattisgarh)

---- Respondents

For Petitioner	:	Shri Samir Behar, Advocate
For State	:	Shri Sangharsh Pandey, Dy. Govt. Advocate

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

Order On Board

09/09/2016

Heard.

1. Transfer order is under challenge on the ground that in the transfer order, the place where the petitioner is presently posted has not been correctly mentioned. It is also submitted that husband of the petitioner is working in the State Bank of India, Pandariya District -Kabirdham and thirdly that as the petitioner's daughter is suffering from stone in the kidney, therefore, she is required to be provided regular treatment in a good hospital, which facility the petitioner would not be getting at Jashpur.

2. The petitioner has been posted in Masturi Block. However, the sector of the petitioner, it is stated, has wrongly been mentioned. It is not a case where the petitioner is being posted in the lower post or that the petitioner came to the present place of posting in recent past. The petitioner was posted in the same Project at Masturi though within different sector which are nearby to each other. After long period, now the petitioner is being transferred to another district. Therefore, only on that ground, I am not inclined to interfere with the transfer order.

The other ground that husband of the petitioner is working at Kabirdham in the State Bank of India cannot be made a basis to assail the transfer order. Kabirdham is entirely a different station which is at a distance of more than 125 k.m. from the present place of posting. Therefore, on this ground also, no interference is called for.

However, the third ground is with regard to the ailment of petitioner's daughter. This ground is a matter for assessment of the transfer authority whether on this basis, the transfer order should be modified or not. This is so because the petitioner's daughter is taking treatment at Shriram Care Hospital and not at any local hospital.

3. Only the ground of personal difficulty/ailment of daughter, the petitioner may submit representation and if such representation is filed, the same may be considered and decided within 4 weeks to consider amendment, if any, in the transfer order of the petitioner, to send her to any other place subject to exigency of services.
4. With the observation and direction as above, the petition is finally disposed off.

Sd/-
(Manindra Mohan Shrivastava)
Judge