

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 3326 of 2016

Dr. Khushi Ram Sahu Presently Posted As Assistant Professor (Zoology), Govt. E. Raghvendra Rao College, Bilaspur, S/o Jhadu Ram Sahu, Aged About 57 Years, R/o B- 123 Rama Green City, Khamtarai, Bilaspur, District Bilaspur, (Chhattisgarh)

---- Petitioner

Versus

1. State Of Chhattisgarh Through Deputy Secretary, Department Of Higher Education, Mantralaya, Mahanadi Bhawan, Naya Raipur, Raipur, (Chhattisgarh)
2. Collector, District Bilaspur, (Chhattisgarh)
3. Commissioner, Directorate Of Higher Education, Indravati Bhawan, Naya Raipur, District Raipur, (Chhattisgarh)
4. Dr. K. Vernu Achari, Assistant Professor, Zoology, Presently Posted At Government College, Sanawal, District Balrampur, (Chhattisgarh)

---- Respondents

For Petitioner : Shri Pawan Kesharwani, Advocate
For Respondent-State : Shri D.R. Minj, Dy. Govt. Advocate

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

Order On Board

02/08/2016

Heard on admission.

1. Amongst various grounds, one of the foremost ground of challenge to the transfer order is that it violates the policy of keeping the husband and wife together as far as possible. It is stated that the petitioner is working as Assistant Professor in Bilaspur and his wife is posted as Shikshakarmi Grade-I and posted at Bijour which is in the Block- Bilha of District-

Bilaspur. This is stated to be a station nearby Bilaspur. By the impugned order of transfer, the petitioner has been transferred from Bilaspur to Balrampur. Therefore, the petitioner's case requires consideration. A representation has already been made.

2. It is a case where the wife of the petitioner has been posted to a place at a nearby station from Bilaspur though not at Bilaspur. The petitioner has been transferred to Balrampur and a representation has also been made.
3. Considering the policy of the Govt. to keep the husband and wife together if possible and subject to administrative exigency, the representation of the petitioner may be considered and decided by the transferring authority within a period of 3 weeks from today.
4. For a period of 3 weeks, if no one has been posted at the place of the petitioner, the petitioner may not be disturbed.
5. With the aforesaid observations, the petition is finally disposed off.

Sd/-
(Manindra Mohan Shrivastava)
Judge