

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No. 3605 of 2016**

Dr. Priyanka Jaiswal (Sinha) W/o Dr. Dinesh Sinha, Presently Posted As Ayurved Chikitsa Adhikari, Govt. Ayurvedic Hospital, Arjuni, District Baloda Bazar (Chhattisgarh), R/o Shivalaya Park, Khaira Chowk, Bagbahara Road, Mahasamund, District Mahasamund (Chhattisgarh)

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, Department Of Health & Family Welfare, Mahanadi Bhawan, Mantralaya, Naya Raipur, District Raipur (Chhattisgarh)
2. The Director (Aayush), Directorate, Purana Nurses Hostel D. K. S. Bhawan, Raipur, District Raipur (Chhattisgarh)
3. The District Ayurved Officer, Raipur, Purana Nurses Hostel, D. K. S. Bhawan, Raipur (Chhattisgarh)

---- Respondents

For Petitioner	:	Mr. S.R.J. Jaiswal, Advocate
For Respondent-State	:	Mr. Gary Mukhopadhyay, Dy. Govt. Advocate, on advance copy.

Hon'ble Shri Manindra Mohan Shrivastava, J.
Order on Board

10/08/2016

Heard on admission.

1. The transfer order is under challenge on the ground that by the impugned order, the petitioner is being posted at a place which is far away from the place of posting of her husband.
2. The petitioner is presently posted at Government Ayurved Hospital, Arjuni and her husband has been posted in District Hospital Mahasamund, which is stated to be about 55 Kms away. By the impugned order, the petitioner is now

being transferred to Ayurvedic Hospital, Korba which is stated to be about 350 Kms. away from Mahasamund.

3. It is found that the petitioner has not been posted at the same place where her husband is posted because she is Class-II Gazetted Officer and is being sent to transfer in District Korba.

4. However, considering that there is a policy of the Government to keep husband and wife together as far as possible in same place subject to administrative exigency. The State may consider posting of the petitioner and his husband together either at the same station or nearby station. The petitioner has already submitted a representation, which is pending consideration. The competent authority is directed to consider and decide the representation filed by the petitioner within a period of four weeks from today.

5. With the aforesaid observation, the petition stands finally disposed off.

Sd/-

(Manindra Mohan Shrivastava)
Judge