

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 3755 of 2016

H. R. Dhirhe S/o Jhunwa Ram, Aged About 61 Years Presently Posted And Working As Principal, Government Higher Secondary School, Chal, R/o Village & Post Chal, Tahsil Dharamjaigarh, Distt. Raigarh, (Chhattisgarh)

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Department Of School Education, Mahanadi Mantralaya, Naya Raipur, Post Office & Police Station Naya Raipur, District Raipur, (Chhattisgarh)
2. Under Secretary, Department Of School Education, Mahanadi Mantralaya, Naya Raipur, Post Office & Police Station Naya Raipur, District Raipur, (Chhattisgarh)
3. Collector, Raigarh, (Chhattisgarh)
4. District Education Officer, Raigarh, (Chhattisgarh)

---- Respondents

For Petitioner	:	Shri B.D. Guru, Advocate
For State	:	Shri Dhiraj Wankhede, Govt. Advocate

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

Order On Board

12/08/2016

Heard on admission.

1. Transfer order is under challenge on the ground that while transferring the petitioner from present place of posting, the Govt. policy of keeping husband and wife together as far as possible and subject to administrative exigency has not been kept in view. It is submitted that the petitioner has been posted at the present place of posting on 27.2.2013 and now he has been transferred at the option of the District Education Officer, Raigarh. He submits that wife of the petitioner has also remained posted in the same station. Therefore, the policy has been violated.

2. It is found that the petitioner has remained posted at the place of posting for almost 3 ½ years. Therefore, he has become due for transfer. However, considering the policy of keeping husband and wife together as far as possible, it is directed that in case the petitioner prefers representation, the respondent -authority shall explore the possibility of keeping the petitioner and his wife at one or nearby station as far as possible subject to administrative exigency. The representation shall be decided by the authority within a period of 4 weeks from the date of receipt of the representation.
3. With the aforesaid observation/direction, the petition is finally disposed off.

Sd/-
(**Manindra Mohan Shrivastava**)
Judge