

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 2256 of 2016

Chudamani Rathore S/o Shri Dileshwar Prasad Rathore, Aged About 30 Years
Working As Assistant Teacher (Panchayat) At Govt. Primary School
Bhatapara Uda, Tahsil Kharsiya, Dist Raigarh (Chhattisgarh)

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary, Panchayat & Rural Development
Department, Mantralaya, Mahanadi Bhawan, Naya Raipur (Chhattisgarh)
2. The Collector, Raigarh, District Raigarh (Chhattisgarh).
3. Chief Executive Officer, Zila Panchayat Raigarh District Raigarh
(Chhattisgarh)
4. Chief Executive Officer, Zila Panchayat Kabirdham District Kabirdham
(Chhattisgarh)
5. Chief Executive Officer, Janpad Panchayat Kharsiya Dist. Raigarh
(Chhattisgarh)

---- Respondents

For Petitioner	:	Shri R.S. Patel, Advocate
For State	:	Shri R.K.Gupta, Dy. A.G. for the State

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

Order On Board

21/06/2016

Heard on admission.

1. This petition is directed against order dated 18.4.2016 passed by respondent
No.3 by which the petitioner has been transferred from Raigarh district to
Kabirdham.
2. The sole ground on which the petitioner has approached this Court is that wife
of the petitioner has been posted in Janjgir-Champa district and therefore

while transferring the petitioner, this aspect need to be taken into consideration. A representation has been made by the petitioner which has remained pending.

3. It is found that the petitioner's wife has been posted in Janjgir-Champa district. While transferring the petitioner from Raigarh to Kabirdham, this aspect requires consideration whether subject to administrative exigency, it would be feasible to transfer the petitioner to district- Janjgir-Champa or to transfer the wife of the petitioner from Janjgir-Champa to Kabirdham so that as far as possible, husband and wife are kept and posted together.
4. A representation has been made. The same requires to be decided. It should be decided within an outer limit of 3 weeks by respondent No.3 from the date of receipt of copy of this order.
5. Considering that at present, husband and wife are not posted together, I am not inclined to pass any protective order in favour of the petitioner. However, the respondent-authority must decide the representation within 3 weeks and non-decision shall be treated as violation of Court's order.
6. The petition is accordingly finally disposed off.

Sd/-
(Manindra Mohan Shrivastava)
Judge