

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 3369 of 2016

- Kamal Kishore Nayak S/o. Shri Sanatan Nayak, Aged About 45 Years Occupation Service, Posted As Assistant Internal Audit And Taxation Officer, Janpad Panchayat Pithoura, P. S. Pithoura, Civil & Revenue Distt. Mahasamund (Chhattisgarh)

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary Panchayat And Rural Development Department Mantralaya Mahanadi Bhawan, Capital Complex Naya Raipur, Distt. Raipur (Chhattisgarh)
2. Collector Mahasamund Distt. Mahasamund (Chhattisgarh)
3. Chief Executive Officer, Janpad Panchayat Mahasamund, Distt. Mahasamund (Chhattisgarh)

---- Respondents

For Petitioner : Mr. Sunil Sahu, Advocate
For State / Respondent Nos. 1 & 2 : Mr. S.P. Kale, Dy. Adv. General
on advance copy.

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

04/08/2016

Heard.

1. The petitioner has challenged the transfer order on the sole ground that while transferring the petitioner to the Office of Deputy Director Panchayat, Gariyaband, Policy of keeping husband and wife together as far as possible in the same district has not been kept in view. The petitioner is posted at Pithoura and his wife is posted at Primary School, Utekel, which is stated to be at a distance of 50 km away from the place of posting of the petitioner.
2. By the impugned order, the petitioner has been transferred to another District – Gariyaband. As there is exists a Policy to keep husband wife together as far as possible in the same district and subject to administrative exigency, the representation preferred by

the petitioner requires consideration as to whether it is feasible to keep the petitioner and his wife together or at nearby station as far as possible and subject to administrative exigency. The representation of the petitioner be decided within a period of three weeks. If in the place of petitioner's place no one has been posted, no coercive steps shall be taken against him.

3. The petition is accordingly disposed off.

Sd/-
(Manindra Mohan Shrivastava)
Judge

Chandra