

NAFR

**HIGH COURT OF CHHATTISGARH, BILASPUR****WPS No.3496 of 2016**

Roshan Kumar Mandloi S/o Paradeshi Ram Mandloi, Aged About 31 Years  
Presently Posted And Working As Rural Medical Assistant, Primary Health  
Center, Umarvahi, Dist, Rajnandgaon Chhattisgarh R/o Village Soma Jhatiya,  
P.S. & Tahsil Dongargaon, District Rajnandgaon Chhattisgarh

**---- Petitioner****Versus**

1. State Of Chhattisgarh Through The Secretary, Department Of Health & Family Welfare Mahandi Mantralaya, Naya Raipur, Post Office & Police Staton Naya Raipur, District Raipur Chhattisgarh
2. Under Secretary, Department Of Health & Family Welfare Mahanadi Mantralaya, Naya Raipur, Post Office & Police Station Naya Raipur, Dsitrect Raipur Chhattisgarh
3. Director, Directorate Of Health Services, Chhattisgarh, Indirawati Bhawan, Naya Raiupr, Post Office & Police Staiton Naya Raipur, District Raipur Chhattisgarh
4. Collector, Rajnandgaon Chhattisgarh
5. Chief Medical & Health Officer, Rajnandgaon Chhattisgarh

**---- Respondents**


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| For Petitioner       | : | Shri B. D. Guru, Advocate |
| For Respondent/State | : | Shri D. R. Minz, Dy.GA    |

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**Hon'ble Shri Justice Manindra Mohan Shrivastava****Order On Board****08/08/2016**

By this petition, the petitioner has challenged transfer order on the ground that while transferring the petitioner to a distant place and posting of wife of the petitioner at the present place of posting, the policy of the government to keep husband and wife together at one place as far as possible subject to administrative exigency has been violated.

2. Learned counsel for the petitioner submits that the petitioner is posted as Rural Medical Assistant at Primary Health Center, Umarvahi, District Rajnandgaon vide order

dated 20-07-2015. The petitioner's wife is posted as Lecturer (Panchayat) at Govt. Primary School, Bholapur, Block Chhuriya, which is about 10-15 Kilometers away from the present place of posting of the husband. Vide order dated 15-06-2016, the petitioner's wife was posted at the present place in furtherance of government's policy to keep husband and wife together but within a short period of one year, the petitioner has been transferred but wife of the petitioner has been posted at the same place. As there is a policy to keep husband and wife together as far as possible subject to administrative exigency and taking into consideration that the wife of the petitioner was posted at the present place of posting in the month of June, 2016 only and now the petitioner is again transferred, the matter requires consideration. However, it is found that the petitioner has not filed any representation but he has directly filed this petition before this Court.

3. In these circumstances, it is directed that in case, the petitioner prefers representation within a period of 10 days from today, the transferring authority shall consider and decide the representation within a period of four weeks from the date of submission of representation in view of government's policy to keep husband and wife together as far as possible subject to administrative exigency.

4. For a period of five weeks, no coercive steps shall be taken against the petitioner.

5. With the aforesaid observation, this petition is finally disposed off.

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