

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 3519 of 2016

Manoj Kumar Sinha S/o Shri Vasudev Prasad Sinha, Aged About 48 Years Working On The Post Of Assistant Professor (Geography) At, Govt. J.P.Verma (P.G.) College, Bilaspur, Distt.- Bilaspur, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through Its Secretary, Department Of Higher Education, Ministry At Mahanadi Bhawan, New Raipur, P.S.- Rakhi, Dist.- Raipur, Chhattisgarh
2. Commissioner, Directorate Higher Education, Indrawati Bhawan, New Raipur, Dist.- Raipur, Chhattisgarh
3. Principal, Government J.P.Verma (P.G.) College, Bilaspur, Dist.- Bilaspur, Chhattisgarh
4. Smt. Abha Beck, Assistant Professor (Geography) Govt. College, Tapkara, Dist.- Jashpur, Chhattisgarh

---- Respondents

Shri Rakesh Kumar Jha, counsel for the petitioner/s.
Shri Sangharsh Pandey, Dy.G.A. for the State on advance copy.

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

09/08/2016

Heard.

The transfer order has been challenged mainly on the ground that the petitioner and his wife both are posted in Bilaspur proper and now the petitioner is being transferred without keeping in view the policy of the Government to post husband and wife at a same place, as far as possible. It is submitted that the occasion has arisen to shift the petitioner to Tapkara, District- Jashpur because a lady officer posted in Tapkara sought her transfer on her own expenses, giving rise to vacancy. It is also submitted that earlier also, the petitioner was posted in tribal area and now he is again transferred to tribal area.

2. The petitioner and his wife, both have remained posted at the present place

for more than four years. As the petitioner has completed normal tenure of service, he is liable to be posted elsewhere. The reason for transfer is apparent that at Tapkara, vacancy has arisen.

3. These are all administrative matters. However, considering that there is a policy to keep the husband and wife together at same place as far as possible subject to administrative exigency, the respondent authorities may consider posting of the petitioner and his wife at one place or nearby place whenever petitioner is transferred.

4. For a period of 15 days, no coercive steps shall be taken against the petitioner. The representation of the petitioner shall be decided within a period of four weeks.

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

Sd/-

(Manindra Mohan Shrivastava)
Judge