

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 3555 of 2016

- Ashok Kumar Banarjey (Banarjee) S/o Shri Laxmi Narayan, Aged About 33 Years Occupation Assistant Veterinary Field Officer, Artificial Insemination Sub Center- Mopka, District Bilaspur (Chhattisgarh)

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary, Department Of Animal Husbandry & Veterinary Services, Mahanadi Bhawan, Mantralaya, New Raipur, District Raipur (Chhattisgarh)
2. The Additional Secretary, Department Of Animal Husbandry & Veterinary Services, Mahanadi Bhavan, Mantralaya, New Raipur, District Raipur (Chhattisgarh)
3. The Director, Directorate Of Veterinary Services, Indrawati Bhawan, Block- III, Ground Floor, Naya Raipur, Tehsil & District Raipur (Chhattisgarh)
4. Kashiram Patel S/o Shambhu Dayal Patel, Aged About 62 Years Occupation Assistant Veterinary Field Officer, Artificial Insemination Sub Center- Bunga, Block Pussore, District Raigarh (Chhattisgarh)

---- Respondents

For Petitioner : Mr. Parag Kotecha, Advocate
For State / : Mr. D.R. Minj, Dy. Govt. Advocate on advance
Respondent Nos.1 to 3 copy.

Hon'ble Shri Justice Manindra Mohan Shrivastava
Order On Board

10/08/2016

Heard.

1. The transfer order has been challenged on the ground that while transferring the petitioner from present place of posting, the Government Policy for keeping husband wife together at same station or nearby place has not been kept in view.
2. The petitioner is posted at the present place of posting since 2009, which shows that he has already completed normal period of stay.
3. Petitioner is posted at Mopka whereas his wife is posted at Kota, which is not in the same station or nearby place, therefore, as per as petitioner's transfer is concerned, it does not warrant any interference

except that the petitioner and / or his wife may prefer representation for posting of the petitioner and his wife at the same station or at nearby place where the petitioner has been transferred or any other place in the State.

4. It is brought to the notice of this Court that respondent No.4, who has been transferred in the place of petitioner has already approached this Court and his petition W.P.(S) No. 3408 of 2014 has been disposed off vide order dated 04.08.2016 on the ground that his representation is to be considered as he is going to retire in short period and he has been protected for four weeks against any coercive steps.
5. The petitioner may not be compelled to proceed on transfer for a period of four weeks, thereafter, if there is no amendment in the posting of the petitioner to Raigarh, the petitioner will have to carry out the transfer order. The representation of the petitioner for keeping husband wife together at the same station or nearby place is also be considered within a period of four weeks.
6. The petition is accordingly disposed off.

Sd/-
(Manindra Mohan Shrivastava)
Judge