

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 3791 of 2016

Dr. George Clement Kujur S/o Late Shri Stanis Las Kujur, Aged About 54 Years Occupation Deputy Director, Directorate Veterinary Services, Indrawati Bhawan, Naya Raipur, Tahsil & District Raipur (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 Bhawan, 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. Dr. Kajal Mitra, Deputy Director, Veterinary Services, District Gariyaband (Chhattisgarh)

---- Respondents

For Petitioner	:	Shri Anand Shukla, Advocate
For Respondent-State	:	Shri Gary Mukhopadhyay, Dy. G.A., on advance copy

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

Order On Board

16/08/2016

Heard on admission.

1. The transfer order is under challenge on the ground that while transferring petitioner to District Gariyaband, the State has not kept in view the Government Policy to keep husband wife together or at nearby stations as far as possible and subject to exigency of service. The other ground is that earlier the petitioner had remained posted at Dharamjaigarh, District Raigarh and different

places which are within the scheduled area, for about 17 years. Thereafter, the petitioner was transferred to Naya Raipur where he remained posted for two years and after two years, he is again being transferred to scheduled area.

2. The petitioner has completed two years of posting at present place. Therefore, as per transfer policy dated 11.06.2016, he has become due for transfer. The petitioner is occupying Class-1 gazetted post, which is a sensitive post. However, the policy of the Government to keep husband wife together, may require consideration to find out whether, subject to administrative exigency, it is possible to keep petitioner and his wife together or at nearby stations considering that wife of the petitioner is a lecturer in a school recently posted at Madar Colony, District Raipur. The representation has already been preferred, which may be considered and decided by the State Government within a period of four weeks from the date of receipt of copy of this order.

3. The petition is accordingly disposed off.

Sd/-
(Manindra Mohan Shrivastava)
Judge