

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 3786 of 2016

Govind Ram Anant S/o Shri Anujram Anant, Aged About 50 Years
Presently Posted As Patwari At P H N. 01, Kurda Tahsil Champa District
Janjgir Champa ; R/o Village Ward No. 20, Janjgir, P S & Tahsil Janjgir
District Janjgir Champa (Chhattisgarh)

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Revenue & Disaster Management Department, Mantralaya, Mahanadi Bhawan, Naya Raipur, District Raipur (Chhattisgarh)
2. The Collector, (Land Record), District Janjgir Champa (Chhattisgarh)
3. Yuvraj Patel, Presently Posted As Patwari At P H N. 10 Thangan Tahsil Dabhra District Janjgir Champa (Chhattisgarh)

---- Respondents

For Petitioner	:	Shri Mateen Siddiqui, Advocate
For Respondent-State	:	Shri R.K. Gupta, Dy. A.G., on advance copy

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

Order On Board

16/08/2016

Heard on admission.

1. Learned counsel for the petitioner submits that the petitioner has been transferred from Patwari Halka No.1 Kurda, Tehsil- Champa, District Janjgir-Champa to Patwari Halka No.30 Kharoud, Tehsil-Pamgarh, District Janjgir-Champa. He submits that the wife of the petitioner is posted as Staff Nurse at District Hospital Janjgir, Kurda happens to be only 10 km. whereas Kharoud is about 60 km. He submits that the petitioner is entitled to be considered for posting at or nearby stations where his wife is posted in accordance with the Government Policy of keeping husband wife together subject to administrative exigency and as far as possible.

2. On the other hand, learned State counsel submits that the policy of keeping husband wife together at one place as far as possible and subject to exigency of service, would apply only in the matter of State level transfer and not district level.

3. This Court in large number of cases has passed orders to consider posting of the husband wife either at the same place or at nearby stations subject to administrative exigency and to the extent, it is possible. Therefore, no distinction can be made in the present case.

4. It is for the concerned authority to examine the matter whether there is any other place where petitioner and his wife both can be posted together either in the same place or nearby stations. The petitioner may prefer fresh representation within a period of ten days from today, the same shall be considered and decided within a period of four weeks from the date of receipt of copy of this order.

5. The petition is accordingly disposed off.

Sd/-
(Manindra Mohan Shrivastava)
Judge