

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 4598 of 2016

Smt. Manju Lata Lahre W/o Vijay Kumar Lahre, Aged About 28 Years
Assistant Teacher (Panchayat), Govt. Primary School, Amlipali (A)
(Wrongly Mentioned As Aamapali (A) In The Impugned Order), Janpad
Panchayat, Sarangarh, District Raigarh, (Chhattisgarh)

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Department Of School Education, Mantralaya, Mahanadi Bhawan, New Raipur, District Raipur, (Chhattisgarh)
2. Secretary, Department Of Panchayat & Rural Development Mahanadi Bhavan, Mantralaya, New Raipur, District Raipur, (Chhattisgarh)
3. The Collector, Raigarh, District Raigarh, (Chhattisgarh)
4. Chief Executive Officer, Zila Panchayat, Raigarh, District Raigarh, (Chhattisgarh)
5. Chief Executive Officer, Zila Panchayat Korba, District Korba, (Chhattisgarh)
6. Chief Executive Officer, Janpad Panchayat, Sarangarh, District Raigarh, (Chhattisgarh)

---- Respondents

For Petitioner	:	Mr. Govind Dewangan, Advocate
For Respondent-State	:	Mr. R.K. Gupta, Dy. A.G.

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

Order On Board

08/09/2016

Heard on admission.

1. The transfer order is under challenge on the ground that while

transferring the petitioner, the policy to keep husband wife together as far as possible and subject to exigency of service has not been kept in view.

2. It is found that the petitioner has remained posted at the present place since 2012. Her husband has also been appointed in the year 2010 in the same Jila Panchayat jurisdiction, though in a different stations.

3. It appears that both the petitioner and her husband completed more than four years of service in the present Jila Panchayat jurisdiction. The policy to keep husband wife together is always subject to administrative exigency, however the authority may explore whether keeping administrative exigency intact, it is feasible to keep husband wife at nearby station in the same Jila Panchayat jurisdiction. As the representation of the petitioner is pending before respondent No.4, respondent No.4 shall consider and decide the matter. The decision may be taken within an outer limit of eight weeks from the date of receipt of copy of this order.

4. The petition is accordingly disposed off.

Sd/-
(Manindra Mohan Shrivastava)
Judge