

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No.4237 of 2016

- Smt. Eny Manju W/o Jeferiyus Kujur, Aged About 39 Years Caste Uraon, Occupation Nursing Sister, At Community Health Center, Pratappur, District Surajpur (Chhattisgarh)

---- Petitioner

Versus

1. State Of Chhattisgarh Through : Secretary, Health Department, Mahanadi Bhawan, New Mantralay, Raipur (Chhattisgarh)
2. The Collector, Surajpur, District Surajpur (Chhattisgarh)
3. The Chief Medical And Health Officer, Surajpur, District Surajpur (Chhattisgarh)

---- Respondents

For Petitioner	:	Shri Sunil Tripathi, Advocate
For Respondent/State	:	Shri Bhaskar Payashi, PL
For Respondent No.4	:	Shri R. K. Sharma, Advocate

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

14/09/2016

Heard.

2. Challenge to the transfer order is made on the ground that while transferring the petitioner, the government policy to keep husband and wife together as far as possible subject to administrative exigency, has not been kept in view.

3. Learned counsel for petitioner submits that the petitioner has been posted in Community Health Center Pratappur, whereas her husband, who is also a government servant, is posted and working as Lecturer (Panchayat) in government school, which is 20 kilometer away. He also submits that by the impugned order, the petitioner has been transferred to a place which is about 160 kilometer away from the present place of posting.

4. On petitioner's own showing, she remained posted in the present place of

posting since long, because earlier the petitioner remained posted at the present place on a lower post and even after promotion on the post of Nurse, she is posted at the same place. This shows that the petitioner has become due for transfer. However, considering that there is a policy of the government to keep husband and wife together as far as possible subject to administrative exigency, the transferring authority shall explore the possibility to keep the petitioner and her husband either at the same station or nearby station of posting of the petitioner.

5. In this case, the petitioner has already preferred representation. The State Government may consider and decide the representation of the petitioner within a period of four weeks, if not already decided, in view of government transfer policy to keep petitioner and her husband either at the same place or nearby stations.

6. With the aforesaid observation, this petition is finally disposed off.

SD/-
(**Manindra Mohan Shrivastava**)
Judge