

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 5142 of 2017**

Smt. Shubhra Beny Baby W/o Beny Baby, Aged About 38 Years Working As Staff Nurse, Employees State Insurance Services, Jamul Bhilai, District Durg Chhattisgarh. **---- Petitioner**

Versus

1. State Of Chhattisgarh Through The Secretary, Department Of Labour, Mantralaya Naya Raipur, District Raipur Chhattisgarh.
2. The Director, Employees State Insurance Services, Department Of Labour, Indravati Bhawan, Naya Raipur, District Raipur Chhattisgarh.
3. Ronald Taitus, Working As Staff Nurse, Employees State Insurance Services, Jamgaon, District Raigarh Chhattisgarh. **---- Respondents**

For Petitioner	:	Mr. Vikash Dubey, Advocate.
For State	:	Mr. Avinash Singh, Panel Lawyer

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

05/10/2017

Heard.

1. The transfer order is under challenge mainly on the ground that the petitioner is being transferred which will cause serious hardship to her as the place where she is being transferred is a far off place and she is low paid employee.
2. The other submission is that the transfer has been made to accommodate respondent No.3 only.
3. Learned counsel for the petitioner could not demonstrate from the pleadings that accommodation of respondent No.3 is malafide in nature. The petitioner has completed two years of posting at the present place. Therefore, in these circumstances, I do not consider present to be a case of illegal transfer.

4. However, there are certain personal difficulties and the petitioner raised that even though she has become due for transfer, she could be considered for posting to be a nearby place where vacancy is available. The posting of an employee is an administrative measure. Whether the administrative exigency would permit amendment or modification of petitioner's transfer to nearby place is a matter for consideration by the respondents authorities. The petitioner has already preferred a representation. Let the competent authority consider and decide the petitioner's representation on the ground urged in the representation as also in this petition within a period of four weeks from the date of receipt of copy of this order along with fresh representation if any submitted by the petitioner.
5. The petition is accordingly disposed off.

Sd/-

(Manindra Mohan Shrivastava)
J U D G E