

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 7092 of 2016

Smt. Sangeeta Chandrakar W/o Shri Yuris Chandrakar, Aged About 27 Years
Presently Working As Pharmacist Grade II At Community Health Centre,
Darbha, Distt: Bastar (Chhattisgarh)

---- Petitioner

Versus

1. State Of Chhattisgarh Through: The Secretary, Department Of Health And Family Welfare, Mantralaya, Mahanadi Bhawan, New Raipur, (Chhattisgarh)
2. Director, Health Services, Illrd Floor, Indrawati Bhawan, New Raipur (Chhattisgarh)
3. Chief Medical And Health Officer, Bastar, Jagdalpur, Distt Bastar, (Chhattisgarh)

---- Respondents

For Petitioner	:	Shri N Naha Roy, Advocate
For State	:	Shri Chandresh Shrivastava, Panel Lawyer

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

Order On Board

01/02/2017

Heard.

1. This petition has been filed by the petitioner seeking issuance of direction to the respondent-State to consider her representation for transfer on her own request.
2. Learned counsel for the petitioner submits that under the transfer policy dated 11th June, 2016 and earlier practice of the State Government, husband and wife are entitled to be considered for posting at the same or nearby station subject to exigency of service. The petitioner is presently posted at Darbha, District- Jagdalpur as Pharmacist Grade-II and her husband is posted at Pharmacist Grade-II, Bagbahara, District- Mahsamund. The petitioner has remained posted

at this place since 2010 and has become due for transfer also. It is also submitted that though the petitioner has preferred representation on 18.6.2016, the same has not been considered, whereas, large number of transfers of Govt. servants, on own request, have been made by the State.

3. Learned counsel for the State submits that representation of the petitioner, if not decided, shall be decided upon due consideration of administrative exigency, public interest and Govt. policy.
4. In view of the above, this petition need not be kept pending and is, therefore, finally disposed off with a direction to the respondent-State to consider petitioner's representation in the matter of transfer at own request, according to its own policy, administrative exigency of service and public interest. It is observed that the State Govt. shall make all endeavour to explore the possibility of posting the petitioner either at same station or at nearby station where the petitioner's husband is posted, as early as possible, before effecting transfer in the next transfer season in the department of the petitioner.

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