

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No.3350 of 2017

- Nirmal Kumar Sharma S/o Shri Mahendra Kumar Sharma, Aged About 32 Years R/o Collector Colony, Chhindnar, House No. 25, Baikunthpur, District Korea Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary, Department Of Food, Civil Supplies And Civil Supply, Mahanadi Bhavan, Mantralaya, Naya Raipur, District Raipur (Chhattisgarh).
2. Managing Director, Director, Chhattisgarh Civil Supplies Corporation Limited, Hitvad Parisar, Avanti Vihar Colony, Raipur, District Raipur (Chhattisgarh)

---- Respondents

For Petitioner	:	Shri G. R. Burman, Advocate
For Respondent No.1	:	Shri S. P. Kale, Dy.AG

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

26/07/2017

The only issue arising for consideration is based on the ground that the petitioner is being transferred from the office of Chhattisgarh State Civil Supplies Corporation, Baikunthpur, District Korea to Ambikapur, whereas wife of the petitioner is posted and working as AG III at Education Department, District Korea.

2. It is submitted that though the petitioner is working in the office of Chhattisgarh State Civil Supplies Corporation at Baikunthpur, District Korea, he has been transferred to Ambikapur, whereas his wife has remained posted as AG III in the School Education Department at District Korea and if the petitioner is subjected to transfer, his family life would be disturbed.

3. Reliance placed on the State Government Policy dated 11-07-2017 is misconceived, because that policy is not applicable to the employees of the Civil Supplies Corporation. The petitioner has not placed on record the transfer policy of the

Chhattisgarh Civil Supplies Corporation and how the cases of those employees, whose spouse are also working, to be dealt with.

4. It is not a case, where the petitioner and his wife are working under the control of the same employer. While the petitioner is working in the Civil Supplies Corporation, his wife is working under the control of the State Government. Therefore, this Court is not inclined to give any specific direction, except that, in case, the petitioner prefers a representation against the transfer order, the respondent No.2 may examine the same and take appropriate decision on his representation, taking into consideration that once an employee of the Corporation has been adjusted on the ground that his wife is also posted in the same area.

5. Accordingly, this petition is finally disposed of with a direction to respondent No.2 to consider and decide the representation of the petitioner within a period of 15 days from the date of receipt of a copy of this order.

SD/-
(Manindra Mohan Shrivastava)
Judge