NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 4289 of 2017

Onkar Prasad Dahariya S/o Shri L.R. Dahariya, Aged About 50 Years Working As Rural Agriculture Development Officer, Block Takhatpur District Bilaspur, Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Department Of Agriculture And Bio Technology, Mantralaya, Mahaanadi Bhawan, Naya Raipur, Chhattisgarh.
2. Director, Directorate Of Agriculture, Raipur, Chhattisgarh.
3. Deputy Director,(Agriculture), Mungeli, Chhattisgarh.

---- Respondents

For Petitioner : Mr. S.S. Rajput, Advocate
For Respondent/State : Mr. Manish Nigam, Panel Lawyer

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

06/09/2017

Heard.

1. The transfer order is under challenge on the ground that while transferring the petitioner, the Government policy of keeping husband wife together as far as possible at the same station or at nearby station has not been kept in view.

2. Learned counsel for the petitioner submits that as the petitioner was posted at Takhatpur and his wife was posted at Lormi, District Mungeli, the petitioner's wife represented for her transfer to Takhatpur, which was accepted and by the impugned order, she has been transferred to Takhatpur but the petitioner has now been transferred from Takhatpur to Balodabazar.

3. It appears that the petitioner has remained posted at the present place since long and therefore, he has become due for transfer. It is found that the order sheet shows that the petitioner's wife Smt. Ashwani Dahariya has been transferred on administrative exigency and not on her own request.

4. As the petitioner has continued at the present place of posting since long time, this Court is not inclined to interfere with the transfer order, however, taking into consideration the peculiar circumstances of the present case and the policy of the Government to keep husband wife together as far as possible at the same station or at nearby station, is always subject to administrative exigency and public interest, it is directed that if the petitioner prefers a representation within 10 days, the same shall be considered and decided within four weeks from the date of receipt of copy of this order.

5. The petition is accordingly disposed off.

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

Rekha