

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 5668 of 2016

1. Smt. Shikha Sahu W/o Shri Vedprakash Sahu Aged About 30 Years Working As Lecturer (Science), At Govt. High School Koliyari, Block & Tahsil-Kurud, District- Dhamtari, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through-Secretary/under Secretary, Panchayat Department, Mantralaya, Mahanadi Bhawan, Naya Raipur, Chhattisgarh
2. Collector, Dhamtari, District Dhamtari, Chhattisgarh
3. Chief Executive Officer, District Panchayat Dhamtari, District Dhamtari, Chhattisgarh
4. District Education Officer, Dhamtari, District Dahmari, Chhattisgarh
5. Chief Executive Officer, District Panchayat Kabirdham, District Kabirdham, Chhattisgarh
6. Principal, Govt. High School Koliyari, Block, Tahsil And District Dhamtari, Chhattisgarh

---- Respondent

For Petitioner
For Respondent/State

Shri R.S. Patel, Advocate
Shri Arvind Dubey, Panel Lawyer

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

17/05/2017

1. Petitioner is aggrieved by the order Annexure – P/1 dated 23-8-2016 passed by the Zila Panchayat, Dhamtari, whereby the earlier executed transfer order dated 4-6-2016 has been

cancelled on the ground that the petitioner's husband is a Central Government employee, therefore, the policy of keeping the husband and wife together is not applicable in favour of the petitioner.

2. Learned counsel for the petitioner would submit that the petitioner's husband is an employee of the Chhattisgarh Rajya Gramin Bank, which is treated as a State post by virtue of circular Annexure – R/1, therefore, the reason on which the executed transfer order has been cancelled is without any basis.
3. It is common knowledge that an employee working with the Chhattisgarh Rajya Gramin Bank is posted and transferred within the State of Chhattisgarh, therefore, in that sense of the term an employee of the Chhattisgarh Rajya Gramin Bank is at par with an employee under the State Government or its Corporation, Board, etc. In any case, an executed transfer order should not have been cancelled after four months of its execution.
4. For all the aforestated reasons, the impugned order dated 23-8-2016 deserves to be and is hereby quashed. Accordingly, the writ petition is allowed.

Sd/-

Judge

Prashant Kumar Mishra

Gowri