

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 178 of 2017**

Sachidanand Singh S/o. Parmeshwar Singh, Aged About 52 Years
R/o. Ring Road, Namnakala, Ambikapur, Police Station And Post
Ambikapur, District Surguja (Chhattisgarh)

---- Petitioner**Versus**

1. State Of Chhattisgarh Through : Secretary, Commercial Tax
(Excise Department), Mahanadi Bhawan, Mantralaya, Capital
Complex, Naya Raipur, District Raipur (Chhattisgarh)
2. Ramkhilawan Gupta, Excise Constable, Office Of Assistant
Commissioner, Excise, District Janjgir Champa (Chhattisgarh)
3. Ramadhar Kushwaha, Excise Constable, Office Of District Excise
Officer, Dhamtari, District Dhamtari, Chhattisgarh.
4. Surendra Kumar Salaam, Excise Constable, Office Of Assistant
Commissioner, Excise, Bilaspur, District Bilaspur (Chhattisgarh)

---- Respondents

For Petitioner	:	Mr. Manoj Paranjpe, Advocate
For State	:	Mr. D.R. Minj, Dy. G.A.

Hon'ble Shri Justice Manindra Mohan Shrivastava**Order On Board****16/01/2017**

Heard on admission.

1. This is second round of litigation. The petitioner had earlier filed a petition challenging transfer order from Ambikapur to Raigarh on the ground that it has violated the Government's policy of keeping husband wife together. This Court had disposed off the petition with direction to explore the possibility subject to exigency of service if it was possible to adjust the petitioner in a nearby place. Vide impugned order dated 13.12.2016 representation has been rejected.

2. Learned counsel for the petitioner submits that the Committee of Secretary has not explored any post to consider posting of the petitioner at a nearby place.

3. Learned State counsel submits that the petitioner is working as constable in Excise Department for about 8 years on the same place therefore, exigency of service required his transfer to another district.

4. I find that the Committee of the Secretary has considered the matter. The petitioner had remained posted for about 8 years. I do not consider it a case to interfere with the order. However, in the next transfer season, the authority may explore the possibility whether it would be feasible, subject to administrative exigency of service to post the petitioner in Ambikapur district itself, at least to ensure that the husband and wife are posted at the same District.

5. Accordingly the petition is disposed off.

Sd/-

(Manindra Mohan Shrivastava)
Judge