

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 1316 of 2017

Pawan Kumar Kanchan, Presently Posted As Assistant Teacher Panchayat, Government Primary School, Karanji, Kondagaon S/o Shri Ramlal Kanchan, Aged About 41 Years, R/o Purani Basti, Police Station Nagri, District Dhamtari (Chhattisgarh) **---- Petitioner**

Versus

1. State Of Chhattisgarh Through The Secretary, Department Of Higher Education, Mantralaya, Mahanadi Bhawan, Naya Raipur, District Raipur (Chhattisgarh)
2. Secretary, Department Of Panchayat And Rural Development, Mantralaya, Mahanadi Bhawan, Naya Raipur, District Raipur (Chhattisgarh)
3. Chief Executive Officer, Zila Panchayat, Kondagaon (Chhattisgarh)
4. Chief Executive Officer, Zila Panchayat, Dhamtari (Chhattisgarh) **---- Respondents**

For Petitioner : Mr. Chandresh Shrivastava, Advocate
For State : Mr. R.K. Mishra, Dy. A.G., on advance copy

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

Order On Board

17/03/2017

Heard.

1. The petitioner has filed this petition seeking a direction for consideration of representation for transfer on the ground that the wife of the petitioner is posted within the jurisdiction of Zila Panchayat Dhamtari, whereas, the petitioner is posted within the jurisdiction of Zila Panchayat Kondagaon and there exists a policy in the Panchayat department, itself, to consider posting of husband and wife together within the jurisdiction of same Zila Panchayat after following the procedure of seeking NOC from the two Zila Panchayats. According to

the petitioner, the representation has been made way back on 13.04.2016 but till date, the matter has not been finalized.

2. Learned counsel for the petitioner draws attention of this Court to consent letter dated 22.10.2016 of Zila Panchayat Dhamtari and earlier memo issued in the month of May, 2016 by Zila Panchayat Kondagaon which also indicates that the Zila Panchayat Kondagaon has sought No Objection from Zila Panchayat Dhamtari which was finally granted vide memo dated 22.10.2016.

3. From the facts stated in the petition and the documents, it appears that pursuant to representation of the petitioner, the Zila Panchayat Kondagaon where the petitioner is presently posted, sought No Objection of Zila Panchayat Dhamtari and Zila Panchayat Dhamtari gave its No Objection vide memo dated 22.10.2016. However, thereafter nothing appears to have been done.

4. In that view of the matter, Let Zila Panchayat Kondagaon pass appropriate order in the matter in view of NOC given by Zila Panchayat Dhamtari. Considering that the petitioner and his wife both are teachers, it is expected that appropriate orders shall be passed as early as possible so that shifting, if any, is completed before onset of new educational session.

5. The petition is accordingly disposed off.

Sd/-
(Manindra Mohan Shrivastava)
Judge