

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No.4458 of 2017

- Smt. Anita Bharadwaj W/o Lailoon Kumar Bharadwaj Aged About 39 Years R/o Village- Malkharoda, P.O. And Tahsil- Malkharoda, District- Janjgir-Champa, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Secretary, Department Of Fisheries, Mahanadi Bhawan, Mantralaya, New Raipur, District Raipur, Chhattisgarh
2. The Director, Department Of Fisheries Indirawati Bhawan, 4th Floor (B-Block), New Raipur, Chhattisgarh
3. Deputy Secretary, Department Of Fisheries, Mahanadi Bhawan, Mantralaya, New Raipur, District- Raipur, Chhattisgarh
4. Assistant Director, Department Of Fisheries, District- Janjgir-Champa, Chhattisgarh
5. Assistant Director, Department Of Fisheries, District- Raigarh, Chhattisgarh

---- Respondents

For Petitioner	:	Shri Rahul Sharma, Advocate
For Respondent/State	:	Shri Manish Nigam, PL

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

04/09/2017

Heard.

2. Transfer order is under challenge mainly on the ground that while transferring the petitioner, the respondents have not kept in view the policy of the government to keep husband and wife either at the same place or nearby place.

3. The transfer policy of the government to keep husband and wife at the same place or nearby place would be a matter of administrative exigency and public interest, which requires consideration by the competent authority and it cannot be claimed as of right. The petitioner has remained posted at Malkharoda, District Janjgir-Champa, whereas her husband is posted at Sarangarh, District Raigarh. By

the impugned transfer order, the petitioner is being transferred to Dharamjaigarh, as a result of which, it would be difficult for the petitioner to frequently visit her husband and vice-a-versa. This ground would require consideration by the State. Therefore, in these circumstances, this Court is not inclined to interfere with the transfer order. However, as there is a transfer policy existing, it would be open for the petitioner to prefer representation.

4. If the petitioner submits representation along with a copy of this order within a period of 15 days from today before the respondent authority, the same shall be considered and decided within a period of four weeks from the date of receipt of a copy of this order.

5. Accordingly, this petition is finally disposed off.

SD/-
(Manindra Mohan Shrivastava)
Judge