

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 4517 of 2017

Dr. Sumer Singh Jagat S/o Late Shri Chhedu Lal Jagat Aged About 36 Years Presently Posted As Veterinary Assistant (Surgeon), At Veterinary Hospital Dabhra, District Janjgir-Champa Chhattisgarh R/o Village Faraswani, Tahsil Dabhra, District Janjgir-Champa Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary Veterinary & Animal Husbandry Department, Mantralaya, Mahanadi Bhawan, Naya Raipur, District Raipur Chhattisgarh.
2. Under Secretary Veterinary & Animal Husbandry Department Mantralaya, Mahanadi Bhawan, Naya Raipur, District Raipur Chhattisgarh.
3. Director Directorate Of Veterinary Services, Raipur, District Raipur Chhattisgarh.
4. Deputy Director, Veterinary Services, Janjgir District Janjgir-Champa Chhattisgarh.

---- Respondents

For Petitioner	:	Shri Mateen Siddiqui Advocate
For State	:	Shri A.S. Kachhawaha, Additional A.G.

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

Order On Board

05/09/2017

Heard.

1. The transfer order is under challenge on the ground that the petitioner is being transferred within one year of posting of his wife who was transferred from another place to Dabhra, District Janjgir-Champa in the year 2016 as a matter of adjustment of husband and wife. It is next submitted that the petitioner has also served in the scheduled area for one year. The last submission is that in place of the petitioner, nobody has been posted.

2. As far as ground that the petitioner was earlier posted in scheduled area and that nobody has been posted in place of the petitioner, I am not inclined to give any indulgence on that aspect. However, the only aspect for consideration for the respondent-State would be in the light of their own policy of keeping husband and wife together either at the same or nearby station as far as possible subject to administrative exigency though such an indulgence cannot override the administrative exigency. Therefore, to that extent, the petitioner may prefer representation and if it is made within 15 days, the same shall be considered and decided by the respondent authority within a period of 4 weeks.
3. The petition is accordingly disposed off.

Sd/-
(Manindra Mohan Shrivastava)
Judge