

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 5478 of 2017

Dr. Amit Tiwari S/o A.K. Tiwari, Aged About 36 Years Posted As Assistant Veterinary Surgeon At Veterinary Hospital Akaltara, District Janjgir Champa Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Animal Husbandry (Pashudhan) Development Department, Mantralaya, Mahanadi, New Raipur, District Raipur Chhattisgarh.
2. Director, Veterinary Services, Chhattisgarh New Raipur, District Raipur Chhattisgarh.
3. Collector, Janjgir, District Janjgir Champa Chhattisgarh.
4. Deputy Director, Veterinary Services, Janjgir, District Janjgir Champa Chhattisgarh.

---- Respondents

For Petitioner	:	Shri Vivek Singhal, Advocate
For State	:	Shri Avinash Singh, Panel Lawyer

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

Order On Board

13/10/2017

Heard.

1. The transfer order is under challenge mainly on the ground that the petitioner has been posted at Janjgir and his wife is posted at Bilaspur which is only at a distance of about 70 to 80 k.m. and by the impugned order, the petitioner is being transferred to Bhopalpattnam, District-Bijapur which is a very far place of about 650 k.m. It is submitted that there is the policy of the Govt. to post husband and wife together either at the same place or at nearby station. Therefore, in these circumstances, the petitioner's transfer is liable to be set aside or in any case, the petitioner's

case should be considered for transfer to any nearby place.

2. The petitioner has remained posted at the present place since 2009 therefore, he has become due for transfer. Whether the petitioner should be posted at the same or nearby station where his wife is posted is a matter of administrative consideration because the policy to keep the husband and wife together or at nearby station is subject to administrative exigency and public interest.
3. The petitioner has not preferred any representation. He first ought to have preferred a representation. Let a representation be filed by the petitioner within 3 weeks and if it is done, the same may be considered by the authority within a period of 4 weeks.
4. The petition is accordingly finally disposed off.

Sd/-
(Manindra Mohan Shrivastava)
Judge