

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 5788 of 2019

Ramnarayan Singh S/o Sonabachcha Aged About 30 Years Presently Working As Secretary As Gram Panchayat- Silaju Janpad Panchayat, Ramchandrapur, Tahsil - Ramchandrapur, District- Balrampur-Ramanujganj, Chhattisgarh., District : Balrampur, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through- Secretary, Panchayat And Gramin Vikas Vibhag, Mahanadi Bhawan, Mantralaya, Capital Complex, Atal Nagar Raipur, District - Raipur, Chhattisgarh., District : Raipur, Chhattisgarh
2. Chief Executive Officer Zila Panchayat- Balrampur-Ramanujganj, District - Balrampur-Ramanujganj, Chhattisgarh., District : Balrampur, Chhattisgarh
3. Chief Executive Officer Janpad Panchayat, Ramchandrapur, District- Balrampur-Ramanujganj, Chhattisgarh., District : Balrampur, Chhattisgarh
4. The Collector District- Balrampur-Ramanujganj, Chhattisgarh., District : Balrampur, Chhattisgarh
5. Shri Kartikeshwar Singh Presently Working As Secretary At Gram Panchayat - Pachawal, Janpad Panchayat- Balrampur, District- Balrampur-Ramanujganj, Chhattisgarh., District : Balrampur, Chhattisgarh

---Respondents

For Petitioner	:	Mr. Akath Kumar Yadav, Advocate
For State	:	Mr. Anshuman Shrivastava, P.L.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

06/08/2019

1. The challenge in the present writ petition is to the order Annexure P/1 dated 12.07.2019, whereby the services of the petitioner has been transferred from Gram Panchayat Silaju, Janpad Panchayat Ramchandrapur to Gram Panchayat Pachawal, Janpad Panchayat Balrampur..
2. The ground of challenge by the petitioner in the instant case is that the petitioner is primarily an employee of the Panchayat Department and therefore the Collector could not have transferred the services of the petitioner. It is only the respondents No.2 & 3, who could have transferred the petitioner.

3. The other ground of the petitioner is that his wife is also a government employee working as an Anganbadi worker and posted under Janpad Panchayat Ramchandrapur and therefore the respondents authorities should not have transferred the petitioner contrary to the transfer policy of the State Government, wherein it has been envisaged that the husband and wife in government employment should be accommodated as far as possible at the same place.
4. Given the aforesaid submission by the petitioner, let the petitioner approach the respondent No.4 by way of a detailed representation to be made within a period of 10 days from the date of receipt of the copy of this order and the respondent No.4 in turn shall consider and decide the objection that the petitioner has raised in his representation within a further period of 30 days from the date of receipt of the representation.
5. Till the representation is finally decided, the effect and operation of the impugned order so far as the petitioner is concerned, shall remain stayed.
6. With the aforesaid observations, the present writ petition stands disposed off.

Sd/-
(P. Sam Koshy)
Judge

Ved