

HIGH COURT OF CHHATTISGARH, BILASPUR**WRIT PETITION (S) NO.6293 OF 2019**

Smt. Sharya Begum Siddiqui W/o M. A. Siddiqui Aged About 55 Years
 Posted as Assistant Grade-3, Office of Engineer Water Resources Division,
 Raigarh R/o Q.No.H-22 PWD Colony, Chakradharnagar, Raigarh
 Chhattisgarh.

...Petitioner(s)**Versus**

1. State of Chhattisgarh Through The Secretary, Department of Water Resources Mahanadi Bhawan, Atal Nagar, Raipur, District Raipur Chhattisgarh.
2. Under Secretary, Department of Water Resources, Mahanadi Bhawan, Atal Nagar, Raipur, District Raipur Chhattisgarh.
3. Superintending Engineer, Office of Executive Engineer Water Resources Division Raigarh Chhattisgarh.
4. Executive Engineer Office of Executive Engineer Water Resources Division Raigarh Chhattisgarh.

... Respondent(s)

For Petitioner	:	Shri Faisal Akhtar, Advocate.
For Respondent-State	:	Shri Ayaz Naved, Govt. Advocate.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****21.08.2019**

1. Challenge in the present Writ Petition is to the order of transfer dated 09.08.2019 whereby the petitioner has been transferred from Raigarh to Korba.
2. The challenge is on the ground that the is same is in contravention to the transfer policy itself. According to petitioner, firstly the order of transfer does not have approval of the concerned Minister of the department, secondly, the order of transfer is in violation of the transfer policy to the extent that the Husband and Wife, as far as possible, should had been accommodated at the same place. The petitioner's Husband is working in District Raigarh itself as a Principal and the petitioner now is being

transferred to a far of place to another district i.e. district Korba. Further contention of the petitioner is that, since the petitioner is a Class-III employee, the transfer could had been made only by the 12.07.2019. Thus, the impugned order is also bad for the said reason.

3. Given the aforesaid facts, let the petitioner make a detailed representation in this regard to the respondent No.1 within a period of 15 day from today, and the respondent No.1, in turn, shall consider and decide the same at the earliest preferably within a further period of 45 days. Till the representation of the petitioner is decided, the effect and operation of the impugned order dated 09.08.2019 so far as petitioner is concerned, shall remain stayed.
4. The writ petition accordingly stands disposed of.

Sd/-
(P. Sam Koshy)
Judge