

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 8427 of 2019**

Anil Kumar Nirala, S/o. Late Dev Charan Ram Nirala, Aged About 37 Years, Presently Posted As Data Entry Operator, Office At Sub Divisional Officer, Water Resources Sub Division, Kunkuri, District Jashpur, Chhattisgarh.

---- Petitioner**Versus**

1. State Of Chhattisgarh, Through The Secretary, Water Resources Department, Mantralaya, Mahanadi Bhawan, Atal Nagar, Nawa Raipur, District Raipur, Chhattisgarh.
2. Chief Engineer, Water Resources Department, Sinhawa Bhawan, Raipur, District Raipur, Chhattisgarh.
3. Sub Divisional Officer, Water Resources Department Division Kota, District Bilaspur, Chhattisgarh.

---- Respondents

For Petitioner : Mr. Rahul Agrawal, Advocate

For Respondents/State : Ms. Akanksha Jain, Dy. Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****11.12.2019**

1. Grievance of the petitioner is that the petitioner is working as Data Entry Operator in the office of Sub Divisional Officer, Water Resources Sub Division, Kunkuri, District Jashpur; whereas his wife is posted at Block Kota, District Bilaspur and as per the transfer policy, husband & wife are to be kept at one place. Therefore, the petitioner has filed an application to consider the case of the petitioner, however, the same has not been decided.
2. It is the prerogative of the State to keep a particular person to a particular place. Normally the State is expected to follow the policy, however, it is the prerogative of the State to place any person at a particular place. Meaning thereby, husband cannot claim to be transferred to Kota and wife cannot

claim to be transferred to Kunkuri, Jashpur *vice a versa*. It is the discretion of the State to pass the suitable order according to the policy. Since the application has already been filed, the State may consider, as early as possible, as and when it is felt expedient.

3. With such observation, the writ petition stands disposed off.

Sd/-
Goutam Bhaduri
Judge

Ashok