

## **HIGH COURT OF CHHATTISGARH, BILASPUR**

**WPS No. 2946 of 2020**

Vikram Baghel S/o Late Shri R.P. Baghel Aged About 39 Years R/o Near Balani Hospital, Shubham Vihar, Bilaspur, Police Station- Civil Line, Tahsil And District- Bilaspur, Chhattisgarh

**---- Petitioner**

**Versus**

1. State Of Chhattisgarh, Through Its Secretary, Department Of Home/Police, Mahanadi Bhawan, Mantralaya, Police Station And Post- Rakhi, Atal Nagar, New Raipur, District- Raipur, Chhattisgarh
2. Chairman Police Establishment Board, Police Headquarters (PHQ), Near Mahanadi Mantralaya, Police Station And Post- Rakhi, Atal Nagar, New Raipur, District Raipur, Chhattisgarh
3. Members, Police Establishment Board, Police Headquarters (PHQ)), Near Mahanadi Mantralaya, Police Station And Post- Rakhi, Atal Nagar, New Raipur, District Raipur, Chhattisgarh
4. Director General Of Police (DGP) Police Headquarters (PHQ), Near Mahanadi Mantralaya, Police Station And Post- Rakhi, Atal Nagar, New Raipur, District- Raipur, Chhattisgarh
5. Inspector General Of Police (IGP) Office Of Inspector General Of Police (IGP), Ambikapur, Surguja Range, District Surguja, Chhattisgarh
6. Superintendent Of Police (SP) Office Of Superintendent Of Police, Baikunthpur, District Korea, Chhattisgarh

**---- Respondents**

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| For Petitioner | : | Shri Abhishek Pandey, Advocate. |
| For State      | : | Shri Amrito Das, Addl.A.G.      |

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**Hon'ble Shri Justice Goutam Bhaduri**

**Order**

**04/08/2020**

1. Grievance of the petitioner is that the petitioner was working as Reserve Inspector at Korla and wife of the petitioner is also in service and she is Reserve Inspector at Kabirdham. It is submitted that according to the transfer policy of the State dated 27<sup>th</sup> June, 2019 wherein clause 2.11 purports that husband and wife

normally are to be kept at same place. Under the circumstances the petitioner has made representation to the Inspector General of Police on 7/01/2019. It is contended that pursuant to such representation the petitioner's services were transferred from Koria to Kabirdham by order dated 30/09/2019 (Annexure P-6). Learned counsel for the petitioner would submit that the petitioner however could not be relieved for want of reliever and eventually again order has been passed on 7/07/2020 (Annexure P-7) wherein petitioner's earlier order of transfer has been amended and the petitioner has been posted at Gourella-Pendra-Marvahi. Under the circumstances, the petitioner submits that liberty may be given to the petitioner to make a representation to the respondent No.2 Police Establishment Board to reconsider the transfer of the petitioner back to Kabirdham.

2. Learned State counsel opposes the argument.
3. Perusal of the documents would show on the earlier occasion transfer of the petitioner was considered on the ground that husband and wife normally to be kept at same place and accordingly the petitioner was transferred to Kabirdham by order dated 30/09/2019 where his wife was posted. Subsequently this order appears to have been amended by order dated 7/07/2020 (Annexure P-7) whereby the services of the petitioner were placed at Gourella-Pendra-Marvahi. Under the circumstances, the petitioner is given liberty to make a fresh representation to the respondent No.2 within a period of 15 days from today which may be decided within a further period of 45 days from the date of receipt of representation.
4. With such observation, the petition stands disposed of.

Sd/-

**(Goutam Bhaduri)**  
**Judge**