

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 4034 of 2020**

- Smt. Priyanka Tiwari Wife Of Bharat Bhushan Tiwari Aged About 29 Years At Present Posted At Tahsil Office Dongergarh, District Rajnandgaon (Chhattisgarh) R/o. Kedarbadi, Ward No.3, Dongergarh, District Rajnandgaon (Chhattisgarh).

---- **Petitioner****Versus**

1. State Of Chhattisgarh Through - Secretary, Revenue Department, Mahanadi Bhawan, Mantralaya, Atal Nagar, New Raipur, District Raipur (Chhattisgarh)
2. Collector Rajnandgaon, District Rajnandgaon (Chhattisgarh), District : Rajnandgaon, Chhattisgarh
3. Durgesh Kumar Marshkole At Present Posted At Tahsil Office, Tahsil Chhuriya, District Rajnandgaon (Chhattisgarh).

---- **Respondents**

For Petitioner	:	Mr. T.K. Jha, Advocate
For State	:	Mrs. Sunita Jain, Govt. Advcate.

Hon'ble Shri Justice Goutam Bhaduri**Order****12-10-2020**

1. Heard.
2. Learned counsel for the petitioner submits that the petitioner was initially posted as Data Entry Operator at Rajnandgaon. She was transferred to Dongergarh by order dated 6-12-2019 (Annexure P/2). Thereafter, she took charge at Dongergarh on

16-3-2020 and subsequently, again within a short span of time on 20-8-2020 she has been transferred from Dongargarh to Chhuriya which is about 35 kms away. He would further submit that the petitioner has a child of two years old and she has been subjected to frequent transfer. It is further stated that the petitioner has already made an application according to the policy of the State Government that as the husband of the petitioner is working at Balod, both husband and wife may be kept together at same place, however, the same has not been done and she is subjected to frequent transfer which is under challenge, therefore, the said transfer order may be set aside.

3. On the other hand, learned State counsel opposes the arguments advanced by the learned counsel for the petitioner.
4. Perused the earlier transfer order dated 6-12-2019 which shows that the petitioner was transferred at Dongargarh. The representation dated 9-8-2020 (Annexure P/3) would show that she joined at Dongargarh on 16-3-2020 and it appears that she has been transferred from Dongargarh to Chhuriya as Data Entry Operator.
5. Considering the fact that within a short span of time the petitioner has been subjected to frequent transfer, the petitioner is given at liberty to make a fresh representation before respondent No.2/ Collector, Rajnandgaon, within a period of four weeks and thereafter, on such representation

being filed, the Collector shall consider and decide the same within a further period of 90 days from the date of receipt of copy of the representation, considering the case of the petitioner according to the policy of the State Government about transfer. The petitioner shall also be entitled to attach necessary documents along with representation. Till the representation of the petitioner is decided, the order dated 20-8-2020 (Annexure P/1) in respect of transfer of the petitioner shall not be given effect to.

6. With the above observation/direction, this writ petition stands finally disposed of.

Sd/-
(Goutam Bhaduri)
Judge

Raju