

NAFR

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**WPS No. 5966 of 2016**

Chandrabhan Das Mahant S/o Late Sukhdas Mahant, Aged About 52 Years  
Occupation Service, Presently Posted As Assistant Grade II, Office Of Block  
Education Officer, Bemetara, Civil And Revenue Distt. Bemetara  
(Chhattisgarh)

**---- Petitioner**

**Versus**

1. State Of Chhattisgarh Through The Secretary, Department Of School  
Education, Mahanadi Bhawan, Naya Raipur, Distt. Raipur (Chhattisgarh)
2. Additional Secretary, Department Of General Administration, Mahanadi  
Bhawan, Naya Raipur, Distt. Raipur (Chhattisgarh)
3. Commissioner, Division Durg (Chhattisgarh)
4. Collector, Bemetara, District Bemetara, (Chhattisgarh)
5. Block Education Officer, Bemetara, District Bemetara, (Chhattisgarh)

**---- Respondents**

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For Petitioner	:	Shri Avinash Singh, Advocate
For State	:	Shri R.K. Gupta, Dy. A.G., on advance copy

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**S.B.:Hon'ble Shri Justice Manindra Mohan Shrivastava**

**Order On Board**

**27/10/2016**

Heard on admission.

1. By this petition, the petitioner has challenged the order dated 27.9.2016 by  
which his representation against the transfer order has been rejected.
2. Learned counsel for the petitioner submits that though the petitioner suffers  
from disability, he has been transferred from one station to other station

without keeping in view that looking to the nature and extent of disability, he may suffers serious hardship and inconvenience.

3. A perusal of the order shows that the petitioner's disability has been taken into consideration. The petitioner has been transferred to a very nearer place which is hardly 50 k.m. away. The impugned order records that the proximity of petitioner's place where he is transfered and the place of posting of his wife has also been a relevant consideration while considering representation. Therefor, it does not appear that transfer order visits any serious hardship to the petitioner and the transfer does not affect his companionship with the wife as she is also posted at a place which is nearer to station where now the petitioner has been transferred. Therefore, I do not find any other ground to interfere with the order. However, in future if the petitioner completes normal tenure of posting at present place, he may apply for his transfer to a place where his wife has been posted or to transfer both husband and wife together at the same station.
4. With the observations as above, the petition is finally disposed off.

Sd/-  
(**Manindra Mohan Shrivastava**)  
Judge