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(Proceedings through video conferencing)
HIGH COURT OF CHHATTISGARH, BILASPUR
WPS No. 2683 of 2021

- Ranjeet Kaur W/o Keshav Ram Deshlahre, Aged About 37 Years Working as No.- 083750117, Lady Inspector/ Executive, ASG Raipur, R/o Kharkhara Canal, Dalli Road Madhubani Colony Balod, District Balod (CG)

---- Petitioner

Versus

1. Union of India Through Secretary, Ministry of Personnel/ Public Grievances and Pension (Department of Personnel and Training) North Block New Delhi.
2. Union of India Through Secretary, Ministry of Home Affairs, New Delhi.
3. Director General Central Industrial Security Force, 13- CGO's Complex, Lodhi Road New Delhi 110003.
4. Inspector General, Office of Inspector General Airport, Sector-2, Central Industrial Security Force, (Ministry of Home Affairs) Head Office- Krishak Bhawan, Bettahlasur North Bangalore-562157
5. Commandant, Central Industrial Security Force, Raipur Airport Unit Raipur Mana Camp Raipur, District Raipur Chhattisgarh.

---- Respondents

For Petitioner	:	Mrs. Fouzia Mirza, Advocate
For Respondents	:	Mr. Amit Banerjee, Advocate under the authority of Mr. R.K. Mishra, Assistant Solicitor General.

Hon'ble Shri Justice Parth Prateem Sahu

Order On Board**31/05/2021**

1. Challenge in this writ petition is to the order dated 8.4.2021 (Annexure P-1) thereby transferring the petitioner from Airport Security Guard, Raipur to Airport Security Guard, Ahmedabad.

2. Learned counsel for the petitioner submits that the petitioner is posted as Lady Inspector/Executive No.083750114 at Airport Security Guard, Raipur (for short 'ASG'). Petitioner was enrolled on the rank of Sub-Inspector/Executive and after taking training at NISA, Hyderabad (Telangana), she is discharging her duties as per instructions and directions issued to her from time to time. On 1.8.2015 petitioner was transferred from CISF Unit, BMRC-Delhi to CISF Unit, ASG Raipur. During the period of posting at ASG, Raipur the petitioner got married with one Keshav Ram Deshlahare, who is a State Government employee and working as Lecturer in Government Higher Secondary School, Kochera, District Balod (CG). Vide order Annexure P-1 the petitioner has been transferred from ASG Raipur to ASG Ahmedabad (Gujarat). Petitioner submitted representation before the Director General, CISF, New Delhi requesting for retention of her posting at ASG, Raipur on the ground that her age old mother is taking treatment of Cancer disease, which is in advanced stage, from Pt. Jawahar Lal Nehru Hospital, Bhilai for the last seven months; her father is 80 years old and totally bed ridden due to paralysis. Representation of petitioner was considered and rejected, asking her to join at ASG, Ahmedabad on or before 31.5.2021. Learned counsel submits that after rejection of representation, the petitioner has submitted another representation before the Director General, CISF, New Delhi through proper channel, raising all the grounds and requested for retention of her services at ASG, Raipur for a period of one

year, which is pending consideration. She further submits that husband of petitioner has been detected Covid-19 positive vide Annexure P-8 on 22.5.2021. Petitioner's four years old son is at recovery stage of post-treatment of Covid-19. She referred to the Circular dated 30.9.2009 in support of her contention of the posting when spouse is a State Government employee.

3. Mr. Amit Banerjee, learned counsel representing respondents submits that petitioner is holding a transferable post, her transfer became due on completion of three years' service at ASG, Raipur, however, on the request of petitioner, her transfer was deferred in the year 2019. He submits that transfer / posting of petitioner has been made on account of administrative exigency i.e. operational requirement. The Competent Authority has considered the representation and rejected the same, which was informed to the petitioner on 13.5.2021. He further submits that the Circular Annexure P-9 filed by the petitioner will not come to her rescue as in Clause 18 of the Circular it is very specifically mentioned that the employees under the CISF Units can be transferred at any time anywhere in the country on administrative ground or operational need. The petitioner is transferred on the ground of operational need.

4. Mrs. Fouzia Mirza, learned counsel for the petitioner submits that considering the health condition of petitioner's parents, husband and four years' old son, the petitioner may be granted atleast some reasonable time to join at the transferred place of

posting on humanitarian ground.

5. In the light of submission made by learned counsel for the petitioner with regard to extension of joining period, this Court directed learned counsel for respondents to seek instructions with respect to grant of breathing time to the petitioner to join at transferred place i.e. ASG Ahmedabad.
6. Mr. Amit Banerjee on instruction submits that considering the representation submitted by the petitioner, relieving date of petitioner as mentioned in Annexure P-3 was extended upto 15.6.2021. However, when the facts of the case and difficulties/problems narrated by the petitioner in writ petition are brought to the notice of respondent authorities concerned, it is informed that joining period of petitioner can be further extended upto 15.7.2021.
7. In view of above submission made by learned counsel for the respondents that joining period of the petitioner can be extended upto 15.7.2021 to come out from her odd situations, nothing remains to be adjudicated in this writ petition. Consequently, it is directed that the petitioner shall not be relieved from her present place of posting i.e. ASG, Raipur, before 10.7.2021 to join at the transferred place i.e. ASG Ahmedabad (Gujarat).
8. With the above observation and direction, writ petition stands disposed off.

Sd/-
(Parth Prateem Sahu)
Vacation Judge

roshan/-