
(2013) 10 MP CK 0354
In the Madhya Pradesh High Court
Case No : Writ Petition 7885 of 2013

Smt. Vidhyadevi	Vs	APPELLANT
The State of Madhya Pradesh		RESPONDENT

Date of Decision : 25-10-2013

Acts Referred:

Citation : (2013) 10 MP CK 0354

Hon'ble Judges : Sujoy Paul, J

Bench : Single Bench

Advocate : Nirmal Sharma, for the Appellant; Sangeeta Pachauri, Dy. Govt. Advocate, for the Respondent

Final Decision : Disposed Off

Judgement

Sujoy Paul, J.—Heard. The petitioner is aggrieved by transfer order Annexure P/1, whereby she is transferred from Bhind to Gwalior. It is challenged on the ground that by Annexure P/4, P/5 and P/6 she was subjected to frequent transfer. In addition, it is contended that the petitioner's children are studying in school and his husband is working at Rewa. This mid-session transfer will create inconvenience to her.

2. The prayer is opposed by the other side.

3. I have heard learned counsel for the parties.

4. The transfer order can be interfered with only if it violates any statutory provision, changes service condition of the employee to his detriment, proved to be malafide or issued by an incompetent authority. The contention of the petitioner that she is subjected to frequent transfer is misconceived. A perusal of the orders Annexure P/2, P/3, P/4 and P/5 shows that petitioner was posted either on rationalization or in administrative exigency within the same Headquarter by Chief Medical and Health Officer. Thus such proceeding does not amount to transfer. Thus the said order do not fall within the purview of frequent transfer. Transfer is condition of service. For violation of policy guidelines no

interference can be made. This view is taken by the Division Bench of this Court in R.S. Chaudhary v. State of M.P. and others [(2007) ILR M.P. 1329]. There is no ingredient on which interference can be made in the present petition. Inconvenience is no ground to set aside the order.

5. Thus this petition is not entertained. Liberty is reserved to the petitioner to prefer representation. If such representation is preferred it will be lawful for the competent authority to decide it within 30 days. Petition is disposed of.