

GAHC010290242019



THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Case No. : WP(C)/8767/2019

AZMAL HAQUE
S/O- SRI SAMAD ALI, R/O- VILL- KALARTOP, P.O. BATAHIDIA, P.S.
SUWALKUCHI RIVER, DIST- KAMRUP (R) ASSAM, PIN- 781137

VERSUS

THE STATE OF ASSAM AND 6 ORS.
REP. BY THE COMM. AND SECY. TO THE GOVT. OF ASSAM, HEALTH AND
FAMILY WELFARE DEPTT., DISPUR, GHY-6

2:THE DIRECTOR OF HEALTH SERVICES
ASSAM
HENGARABARI
GHY-36
ASSAM

3:THE JOINT DIRECTOR OF HEALTH SERVICES
GOALPARA
P.O. GOALPARA
DIST- GOALPARA
ASSAM
PIN- 783101

4:THE JOINT DIRECTOR OF HEALTH SERVICES
TINSUKIA
P.O. TINSUKIA
DIST- TINSUKIA
ASSAM
PIN- 786125

5:THE SUB-DIVISIONAL MEDICAL AND HEALTH OFFICER
AGIA BLOCK PHC

AGIA
GOALPARA
PIN- 783120

6:THE SUB-DIVISIONAL MEDICAL OFFICER
KETETONG PHC
P.O. KETETONG
DIST- TINSUKIA
ASSAM
PIN- 786181

7:THE GOVT. OF INDIA
REP. BY THE SECY.
MINISTRY OF HEALTH AND FAMILY WELFARE DEPTT.
NIRMAN BHAWAN
NEW DELHI- 11000

Advocate for the Petitioner : DR. B AHMED

Advocate for the Respondent : SC, HEALTH

**BEFORE
HONOURABLE MR. JUSTICE SANJAY KUMAR MEDHI**

ORDER

01-05-2024

Heard Shri A. K. Azad, learned counsel for the petitioner. Also heard Shri M. Bhuyan, learned Standing Counsel, Health Department.

The present writ petition has been filed challenging an order dated 12.01.2018 by which the petitioner was transferred from Darani Sub Centre of Agia Block PHC under Joint Director of Health Services, Goalpara to Badarpur Sub-Centre of Borkhola Block PHC under Joint Director of Health Services, Cachar. The petitioner is working as a Multi Purpose Worker (Male) and submits that such transfer is not permissible.

This Court has however noted that while issuing notice vide order dated 02.12.2019, an interim order was passed. In the meantime, more than 4 years

have elapsed.

In view of the above, this Court is of the view that the impugned order of transfer dated 12.01.2018 has otherwise been rendered infructuous.

The writ petition accordingly stands disposed of.

However, it is made clear that the petitioner would have liberty to challenge any fresh order of transfer, if made.

JUDGE

Comparing Assistant