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HIGH COURT OF CHHATTISGARH, BILASPUR

WP (S) No. 1389 of 2015

Dr. Jitendra Tamrakar, S/o Bhagwat Prasad Tamrakark, aged About 30 years, Posted as a Medical Officer, at Primary Health Centre Bazar Atariya, Block Khairagarh, District Rajnandgaon, R/o G-1, Community Health Centre Campus, Khairagarh, Tahsil & P.S. Khairagarh, District Rajnandgaon (C.G.)

---- Petitioner

Versus

1. State of Chhattisgarh through the Secretary, Department of Health & Family Welfare, Mantralaya, Mahanadi Bhawan, Naya Raipur, District Raipur (C.G.)
2. The Director, Directorate of Health Services, Chhattisgarh, Raipur
3. The Collector Rajnandgaon, District Rajnandgaon (C.G.)
4. Block Medical Officer, Civil Hospital Khairagarh, District Rajnandgaon (C.G.)

---- Respondents

For Petitioner	Shri Mateen Siddiqui, Advocate
For Respondent/State	Shri Shashank Thakur, GA

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

22/04/2015

Heard learned counsel for the parties.

1. By the impugned order, the petitioner has been posted on rationalization, from Primary Health Centre, Bazar-Atariya, District Rajnandgaon to Community Health Centre, Gandai, District Rajnandgaon.

2. Learned counsel for the petitioner would submit that the petitioner is the only medical officer at Atariya, whereas a medical officer is already posted at Community Health Centre, Gandai, therefore, petitioner's services are needed at Atariya more than at Gandai.
3. Admittedly, the order has been passed in execution of State Government's scheme of Rationalization of Medical Officers and Paramedical Employees working in the Health Departments. Thus, the impugned order is an administrative exercise and ordinarily this Court does not interfere with the exercise of administrative power by the authorities in the matters concerning posting and transfer whether it is a routine transfer order or by way of rationalization.
4. However, since the petitioner is raising plea of violation of policy and other personal grounds, which are to be addressed by the concerned authority, the writ petition is disposed of with a direction that in the event, the petitioner prefers a representation before the respondent No.3 within a period of 15 days from today, the said authority shall consider and decide the representation at the earliest, preferably within a period of 1 month from the date of its submission.

JUDGE

Nirala