



28

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HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 1623 of 2015

Dr. Krishna Kumar Nag S/o K.B.L. Nag Aged About 50 years R/o Near Godwana Samaj Building Gurugovind Singh Ward Abhanpur Jagdalpur, Police Station & Post Jagdalpur, Civil & Revenue District Jagdalpur Chhattisgarh

---- Petitioner

Versus

1. State of Chhattisgarh Through Chief Secretary, Health & Family Welfare Department, Mahanadi Bhawan Mantralaya, Capital Complex, Naya Raipur, District Raipur Chhattisgarh
2. Director Health Services Chhattisgarh, Raipur, District Raipur Chhattisgarh
3. Civil Surgeon Cum Chief Hospital Superintendent Maharani Hospital Jagdalpur Civil & Revenue District Bastar At Jagdalpur Chhattisgarh
4. Deen Late Baliram Medical College Jagdalpur Civil & Revenue District Jagdalpur Chhattisgarh
5. Collector Jagdalpur Civil & Revenue District Bastar Chhattisgarh

---- Respondents

For Petitioner	:	Shri Manoj Paranjpe, Advocate
For Respondents	:	Shri Shashank Thakur, Government Advocate

Hon'ble Shri Justice P. Sam Koshy

Order On Board

04/05/2015

1. Petitioner through the instant writ petition is aggrieved by order dated 23.01.2015 Annexure P/1 whereby the service of the petitioner has been transferred from Maharani Hospital Medical College, Jagdalpur to District Hospital Sukma.
2. Counsel for the petitioner submits that the impugned transfer order shows that the petitioner has been transferred at his own request whereas he has not made any such request to the respondents.
3. State counsel however, opposing the petition submits that on earlier occasions vide order dated 07.07.2014 Annexure P/2 the Government had transferred the petitioner from Maharani Hospital Jagdalpur Bastar to Community Health Centre Nangur District Bastar at his own request but though



29

the order of transfer had been issued but the petitioner was not being relieved in spite of repeated request. However, subsequently on 15.09.2014 the petitioner made a representation to the Collector and submitted that the place where he was transferred i.e. Community Health Centre Nangur there is sufficient staff of Medical Officers posted and in stead of Nangur he may be transferred to a different place like the Community Health Centre Tokapaal and thereafter, the present impugned order has been passed on 23.01.2015.

4. State counsel further submits that the impugned order has already been passed more than 4 months back and therefore, at this juncture the order of transfer does not call for any interference.

5. Counsel for the petitioner at this juncture submits that without entering in to the merits of the case, the petitioner may be permitted to make a fresh representation to the respondents against the impugned order and the State authorities may consider the representation in accordance with rule.

6. On the said submissions the instant writ petition at this juncture is disposed of with liberty to approach the authorities concerned by making appropriate representation and on such representation the authorities concerned are expected to decide the same as expeditiously as possible.

7. Needless to mention that this Court has not expressed any opinion on the merits of the case and the authorities concerned shall be at liberty to decide the representation on its own merits.

Sd/-
P. Sam Koshy
Judge