

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 2453 of 2015

- Ku. Sumitra Kashyap, D/o Late Shri Gagru Ram Kashyap, Age about 27 years, Village & Thana – Parpa, Pujari Para, Post Pandripani, Tehsil Jagdalpur, District Bastar (C.G.)

---- Petitioner

Versus

- State of C.G., Through Secretary, Public Health & Family Welfare Dept. Raipur, Naya Raipur, Mantralya, Raipur (C.G.)
- Director, Health Service, Raipur (C.G.)
- Chief Medical & Health Officer, Batar, District Jagdalpur (C.G.)

---- Respondents

For Petitioner
For Respondent/State

Mr. Vishnu Koshta, Advocate
Mr. P.K.Bhaduri, Government Advocate

S.B.: Hon'ble Shri Prashant Kumar Mishra
Order On Board

10/7/2015

Heard finally with the consent of learned counsel for the parties.

(2) The petitioner has preferred this writ petition seeking quashment of the letter dated 09.05.2015 – Annexure P/6, by which, she has been directed to hand over the charge of Sub-Health Centre, Dimrapal, Community Health Centre, Tokapal to another Female Health Worker.

(3) It appears that vide order dated 15.07.2014 passed by the State Government, the petitioner was transferred from Sub Health Centre, Mawlipadar to Sub Health Centre, Magdu Kachora in the same District Jagdalpur. However, in view of the fact that the post of Female Health Worker was not vacant at Magdu Kachora, the Block Medical Officer

posted the petitioner at Sub Health Centre, Dimrapal. The petitioner joined at this place on 20.11.2014. By another order dated 30.06.2014, the State Government posted one Primala Morpalli at Sub Health Centre, Dimrapal. Thus, two Female Health Workers/ANM were posted at Dimrapal, therefore, the impugned order – Annexure P/6 has been passed directing the petitioner to hand over the charge of Female Health Worker, Sub Health Centre, Dimrapal to Pramila Morpalli in whose favour the State Government has passed the order.

(4) If Pramila Morpalli was handed over the charge of Dimrapal because there exists an order in her favour by the State Government, on the same principle, the petitioner is also entitled to remain posted at Magdu Kachora, for which, an order has been passed in her favour by the State Government.

(5) In the circumstances, the writ petition is disposed of with a direction to the CMHO, Jagdalpur to consider the petitioner's representation in compliance of the order passed by the State Government posting her at Sub Health Centre, Magdu Kachora. The petitioner may prefer a fresh representation before the CMHO within 15 days. Till the petitioner's representation is decided by the CMHO, she shall be allowed to continue at Sub Health Centre Dimrapal.

Sd/-

JUDGE

(PRASHANT KUMAR MISHRA)