

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 2726 of 2015

1. Smt. Jhamin Murasiya W/o Shri Prakash Babu, Aged About 59 years, Working as Multipurpose Health Worker (Women), Sub Health Centre Sahaspur, Block Saja District Bemetara (Chhattisgarh)

---- Petitioner

Versus

1. State of Chhattisgarh Through The Secretary Health and Family Welfare Department Mantralaya, New Raipur P.S. Rakhi District Raipur, Chhattisgarh
2. The Collector Bemetara, District Bemetara, Chhattisgarh
3. The Chief Medical & Health Officer Bemetara, District Bemetara, Chhattisgarh
4. Smt. Madhuri Chourasiya, Working as Multipurpose Health Worker (Women), Primary Health Centre, Sambalpur, Block Nawagarh, District Bemetara Chhattisgarh

---- Respondent

For Petitioner	:	Shri BP Singh, Advocate.
For Respondent No.1to3	:	Shri YS Thakur, Deputy Advocate General.

Hon'ble Shri Justice P. Sam Koshy

Order On Board

31/07/2015

1. The petitioner, by way of this petition seeks to impugn the order dated 20.07.2015 (Annexure P/1) whereby she has been transferred from Sub Health Centre, Sahaspur, Block Saja, Distt. Bemetara to Primary Health Centre, Sambalpur, Block Nawagarh.
2. It is a trite law that transfer/posting is an incidence of service. The Court should not interfere with the transfer/posting order unless there is malice, infringement of statutory rules and regulations. The employee may be posted anywhere at the

instance of the employer in public interest and administrative exigency. Further, it is for the Government to post another person if any vacancy arises on account of transfer/posting of an employee.

3. Counsel for the petitioner at this juncture submits that he may be permitted to withdraw this petition with liberty to pursue the remedy by making representation before the appropriate authority, to which the State counsel has no objection and submits that if the petitioner makes representation, the same shall be considered and decided in accordance with law.
4. In the light of above submissions made by the counsel for the parties this petition is disposed of. If the petitioner makes representation before the appropriate authority, in turn, the authority concerned shall consider and decide the same as early as possible preferably within a period of four weeks from the date of receipt of such representation. No order asto costs.

**Sd/-
(P. Sam Koshy)
Judge**

inder