

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Appeal No. 385 of 2015**

K.D.Gendle, S/o Shri S.R.Gendle, aged about 45years, Working as Pharmacist Grade II, Community Health Centre, Belha, District Bilaspur, Chhattisgarh, R/o Bitkuli, Tehsil Belha, Civil and Revenue District Bilaspur, Chhattisgarh.

---- Appellant**Versus**

1. State of Chhattisgarh, Through Secretary, Health and Family Welfare Department, Secretariat, Mahanadi Bhawan, New Raipur, P.S. and Post Rakhi, District Raipur Chhattisgarh.
2. The Chief Medical & Health Officer, Bilaspur, District Bilaspur Chhattisgarh.

---- Respondents

For Appellant	:	Shri Saleem Kazi, Advocate.
For Respondent/State	:	Shri B. Gopa Kumar, Deputy Advocate General.

Hon'ble Shri Navin Sinha, Chief Justice
Hon'ble Shri P. Sam Koshy, J.

Judgment on Board**Per Navin Sinha, Chief Justice****13/08/2015**

1. The present appeal arises from order dated 17.6.2015 dismissing Writ Petition (S) No. 1757 of 2015.
2. We have heard Learned Counsel for the Appellant and no acceptable explanation has been furnished to us with regard to the view taken by the Learned Single Judge in paragraph 3 of the impugned order with regard to the non-disclosure of the earlier Writ Petition (S) No. 2697 of 2014 challenging the same transfer order dated 31.7.2012.
3. While fully endorsing the view taken by the Learned Single Judge, we are compelled to observe that litigation in Court is not a game of chess. Those

who seek equitable jurisdiction under Article 226 of the Constitution owe a bounden duty to come to the Court with clean hands. Litigants who pollute the stream of justice by concealment and falsehood do not deserve consideration of equitable jurisdiction under Article 226.

4. The writ appeal is dismissed.

Sd/-
(Navin Sinha)
CHIEF JUSTICE

Sd/-
(P. Sam Koshy)
JUDGE