

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 3364 of 2016

Dr. Lavkush Dubey S/o Late Jai Jai Ram Dubey, Aged About 57 Years R/o G-21, Nutan Colony, P.S.: Sarkanda, Sarkanda, Bilaspur, (Chhattisgarh)

---- Petitioner

Versus

1. State Of Chhattisgarh Through: The Secretary, Department Of Health And Family Welfare, Mantralaya, Mahanadi Bhawan, Naya Raipur, (Chhattisgarh)
2. Director, Indian System Of Medicine And Homoeopathy, Raipur, (Chhattisgarh)
3. Superintendent Cum District Ayurved Officer, Bilaspur, (Chhattisgarh)

---- Respondents

For Petitioner	:	Shri N. Naha Roy, Advocate
For State	:	Shri Gary Mukhopadhyay, Dy. Govt. Advocate

S.B.:Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

03/08/2016

Heard on admission.

1. Learned counsel for the petitioner submits that the transfer order is challenged only on the ground that the petitioner's daughter is suffering from 'thalassemia major', which requires complete blood transfusion every 10 days. Therefore, the petitioner would find it difficult to treat his daughter if he is posted at Mungeli.
2. Learned counsel for the parties did not dispute that Mungely is only 50 k.m. away from Bilaspur. However, looking to the nature of difficulty expressed by the petitioner, the respondent-State may consider posting of the petitioner at any other place where same medical facility is available. Let it be considered by the State within a period of 6 weeks.
3. For a period of 6 weeks, no coercive steps shall be taken against the petitioner

towards implementation of petitioner's transfer order. The protective umbrella would be available only when the petitioner files representation along with copy of this order to transferring authority within 10 days from today.

4. With the aforesaid observation/direction, the petition is finally disposed off.

Sd/-
(Manindra Mohan Shrivastava)
Judge

Praveen