

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**WPS No. 3672 of 2016**

- R. D. Verma ( Rishabh Dev Verma ) S/o Late M. L. Verma, Aged About 60 Years Occupation Service, R/o District Hospital Balod, Police Station, Tahsil, Civil & Revenue District Balod (Chhattisgarh).

**---- Petitioner**

**Versus**

1. State Of Chhattisgarh Through The Secretary, Health & Family Welfare Department, Mahanadi Bhawan New Mantralaya Raipur, Police Station Kewli, Tahsil, Civil & Revenue District Raipur (Chhattisgarh).
2. Under Secretary, Health & Family Welfare Department, Mahanadi Bhawan New Mantralaya Raipur, Police Station Kewli, Tahsil Civil & Revenue District Raipur (Chhattisgarh).
3. Civil Surgeon, District Hospital Balod, Police Station, Tahsil, Civil & Revenue District Balod (Chhattisgarh).
4. Block Medical Officer, Community Health Center, Farasgaon, Police Station, Tahsil Civil & Revenue District Kondagaon (Chhattisgarh).

**---- Respondents**

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|-----------------|---|------------------------------------------|
| For Petitioner  | : | Mr. Ratnesh Kumar Agrawal, Advocate      |
| For State /     | : | Mr. Sangharsh Pandey, Dy. Govt. Advocate |
| Respondent No.1 |   | on advance copy.                         |

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**Hon'ble Shri Justice Manindra Mohan Shrivastava**

**Order On Board**

**11/08/2016**

Heard.

1. The transfer order is under challenge on the ground that it is a malafide accommodation because one lady officer is being brought in the place of posting of the petitioner on her own request and in order to adjust her, the petitioner has been transferred though the petitioner has left less than two years for his retirement. It is also submitted that the petitioner is suffering from medical problem, his mother is also not keeping well and therefore, he requires adjustment.

2. On petitioner's own showing that he has remained posted in the present place of posting since last more than two years. The Policy permits transfer after completion of two years. Therefore, transferring a lady officer in place of the petitioner on his own request cannot be said to be malafide accommodation.
3. All other grounds are of personal difficulty, which can best be considered by the transferring authority. The petitioner may make representation before the transferring authority, which shall be decided within a period of four weeks.
4. The petition is accordingly disposed off.

Sd/-  
**(Manindra Mohan Shrivastava)**  
Judge

Chandra