

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 3757 of 2016

Bholanath Acharya S/o Late D. P. Acharya, Aged About 56 Years Working As Multipurpose Male Worker, Sub Health Centre, Pandnar, Block Bakawand, District Bastar, (Chhattisgarh)

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Health Department, Mantralaya, Mahanadi Bhawan, New Raipur, District Raipur, (Chhattisgarh)
2. Collector, Bastar (Jagdalpur) (Chhattisgarh)
3. Chief Medical And Health Officer, Bastar, Jagdalpur, (Chhattisgarh)

---- Respondents

For Petitioner	:	Shri CJK Rao, Advocate
For State	:	Shri Dhiraj Wankhede, Govt. Advocate

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

Order On Board

12/08/2016

Heard on admission.

1. The transfer order is under challenge on the ground that within a period of less than one year from the date of joining at the present place of posting, the petitioner has been transferred to Community Health Centre, which is about 50-55 k.m. away from present place of posting.
2. Present transfer policy provides that an employee shall not ordinarily be transferred unless he/she completes one year of posting. It is found that though the petitioner was transferred to the present place vide order dated 20th July, 2015, he was relieved on 4.8.2015 and then he joined at the present place of posting on 4.8.2015. The present transfer order has been passed on 29.7.2016.

3. The Collector/respondent No.2 shall consider the aforesaid aspect of short stay of the petitioner and decide whether in these circumstances, transfer could be cancelled on this count unless there is any acute exigency of shifting the petitioner to Chargaon. Let it be done by the Collector within 2 weeks from the date of receipt of copy of this order.
4. For a period of 2 weeks, coercive steps shall not be taken against the petitioner.
5. With the aforesaid observation/direction, the petition is disposed off.

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

Praveen