

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 4879 of 2016

Ganesh Ram Dewangan S/o Late Shri Banshilal Dewangan, Aged About 58 Years
R/o Poonam Colony, Quarter No. 112, Ward No. 19, Police Station, Tahsil And
District Rajnandgaon (Chhattisgarh).

---- Petitioner

Versus

1. State Of Chhattisgarh Through Its Secretary, Department Of Water Resource, Secretariat, Mahanadi Bhawan, New Raipur P. S. And Post Rakhi District Raipur (Chhattisgarh).
2. Superintending Engineer, Office Of Superintending Engineer, Shivnath Circle, Durg, District Durg (Chhattisgarh).
3. Sub Divisional Officer, Office Of Sub Divisional Officer, Water Resource Department, Sub Division No. 1, Rajnandgaon (Chhattisgarh).

---- Respondents

Shri Abhishek Pandey, counsel for the petitioner/s.
Shri S.P.Kale, Dy.A.G. for the State / respondents on advance copy.

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

19/09/2016

The sole ground of challenge to the transfer order is acute illness of petitioner's wife.

2. Learned counsel for the petitioner submits that the petitioner's wife is suffering from Cancer and requires constant medical attention and surgical operations to save her life. By impugned order, the petitioner has been transferred to Kondagaon, wherefrom it will be very difficult to the petitioner to seek treatment of his wife.

3. Ordinarily, the medical grounds are required to be considered by the competent authority. It is found that the petitioner has remained posted for two years at the present place. However, the nature of disease, from which the

petitioner's wife is stated to be suffering and treatment at Cancer center, Raipur, it would be appropriate to direct respondents to consider petitioner's representation to post the petitioner at any other place nearer to Raipur to facilitate treatment of Cancer to his wife. The representation of the petitioner shall be considered and decided within a period of four weeks.

4. For a period of four weeks, if no one has joined at the present place of posting of the petitioner, coercive steps shall not be taken to relieve the petitioner.

5. With the aforesaid observation, the petition is finally disposed off.

Sd/-

(Manindra Mohan Shrivastava)
Judge