

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 3459 of 2016

Dhannulal Jaiswal S/o. Shri Jagnulal Jaiswal Aged About 47 Years
Presently Working As Pharmacist (Ayurved), Govt. Ayurvedic Dispensary,
Dindori, Dist : Mungeli (Chhattisgarh)

---- Petitioner

Versus

State Of Chhattisgarh Through : The Secretary, Department Of Health
And Family Welfare, Mantralaya, Mahanadi Bhawan, Naya Raipur
(Chhattisgarh)

---- Respondent

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

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

Order On Board

31/08/2016

Heard on admission.

1. Learned counsel for the petitioner submits that the petitioner suffers from physical disability, therefore, respondents ought to have considered posting of the petitioner either at the same place or at nearby station. However, he has been transferred to another District -Raigarh.
2. I have gone through the document placed on record. The petitioner does suffer from some kind of orthopedic disability. However, whether such disability is of such an extent or nature as not to allow transfer from Mungeli to Raigarh is a matter of assessment by the concerned competent/transferring authority. The petitioner is at liberty to move representation on this ground. The State may obtain opinion of the medical officer and, thereafter, may decide petitioner's representation within a period of 6 weeks. If no one has been posted at the place of the petitioner till date, the petitioner may be allowed to continue at the

present place of posting for another 6 weeks.

3. With the observation and direction as above, the petition is finally disposed off.

Sd/-

(Manindra Mohan Shrivastava)
Judge

Praveen