

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****WPS No. 3752 of 2016**

Jitendra Kumar Dewangan S/o Raghuram Dewangan, Aged About 32
Years Posted As Rural Medical Assistant, Primary Health Centre,
Barkoni, Block Mahasamund, District Mahasamund Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, Health And Family Welfare Department, Mahanadi Bhawan, New Raipur, P.S. Rakhi, District Raipur Chhattisgarh
2. The Director, Directorate Of Health Services Chhattisgarh, Indiravati Bhawan, Third Floor, Block A New Raipur, Chhattisgarh
3. The Collector, Mahasamund, District Mahasamund Chhattisgarh
4. The Chief Medical & Health Officer, Mahasamund, District Mahasamund Chhattisgarh

---- Respondents

For Petitioner	:	Mr. Prasoon Agrawal, Advocate
For State	:	Mr. Sangharsh Pandey, Dy. G.A.

Hon'ble Shri Justice Manindra Mohan Shrivastava**Order On Board****02/09/2016**

Heard.

Learned State counsel submits that as per the Government instructions where the order has been passed by the State Government and any other authority, the order passed by the State Government shall prevail. He submits that because of lack of coordination, the situation arose that after the order of the State Government, the Collector also passed the order. According to him, the Collector only intended to transfer within the district whereas the State Government passed the order transferring employee from one district to other district.

In view of the above, the petitioner is required to comply with the order dated 25.07.2016.

There is apprehension on the part of the petitioner that if the petitioner is shifted from one district to other district, his seniority may not be protected.

There is nothing in the order to show that seniority of the petitioner will be affected if the petitioner is transferred from one district to other

district. It goes without saying that seniority of the petitioner shall always be protected and the petitioner will enjoy the same position.

The petition is accordingly disposed off.

Sd/-
(Manindra Mohan Shrivastava)
Judge

Rekha