

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 4127 of 2016

Sudhirpuri Goswami S/o Late Kishorepuri Goswami, Aged About 40 Years Posted At Community Health Centre, Konta As A Pharmacist Grade- II, Konta, Block Konta, District Sukma, (Chhattisgarh)

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Department Of Health, Mahanadi Bhavan, Mantralaya, New Raipur, (Chhattisgarh)
2. Collector, Sukma, District Sukma, (Chhattisgarh)
3. Chief Medical & Health Officer, Sukma, District Sukma, (Chhattisgarh)

---- Respondents

For Petitioner	:	Shri B.P. Singh, Advocate
For Respondent-State	:	Shri R.K. Gupta, Dy. A.G., on advance copy

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

Order On Board

29/08/2016

Heard on admission.

1. The transfer order is under challenge on the ground that though the petitioner has already served in the scheduled area for the last 8 years, while transferring the petitioner under the impugned order, the petitioner is again being transferred within the scheduled area without considering the posting of the petitioner outside the scheduled area in terms of the provision contained in Circular dated 03.06.2015.
2. It is found that the petitioner has remained posted at the present

place since 2008. Therefore, the petitioner has become due for transfer. However, while transferring the petitioner, the policy dated 03.06.2015 is required to be considered in the matter of posting the petitioner to any area which is outside the scheduled area.

3. The grievance of the petitioner cannot be considered by the Collector but only by the State Government.

4. It is, however, found that the petitioner has not preferred any representation in terms of transfer policy and has rushed to this Court. Therefore, all that can be done is that in case, the petitioner prefers representation to the State Government within a period of ten days from today, the State Government shall consider petitioner's claim of posting outside the scheduled area in terms of provision contained in Circular dated 03.06.2015 and decide the same within a period of four weeks.

5. The petition is accordingly disposed off.

Sd/-
(Manindra Mohan Shrivastava)
Judge