

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 181 of 2017**

Kunjar Dewangan S/o Late Shri Lakhan Lal Dewangan, Aged About 45 Years Working As Ophthalmic Assistant, Primary Health Centre, Kachnaar, Block Bakawand, Dist. Bastar, Chhattisgarh.

---- **Petitioner****Versus**

1. State Of Chhattisgarh Through Secretary, Department Of Health And Family Welfare, Ministry At Mahanadi Bhawan, New Raipur, P. S. Rakhi, Dist. Raipur (Chhattisgarh)
2. The Chairman Committee Of Senior Secretaries Constituted To Decide The Transfer Representation Of Officers/ Employee, Ministry At Mahanadi Bhawan, New Raipur, P. S. Rakhi, Dist. Raipur (Chhattisgarh)
3. The Director, Health Services, Block- 1, 3rd Floor, Indrawati Bhawan, Naya Raipur, Dist. Raipur (Chhattisgarh)
4. Collector, Jagdalpur, District Bastar (Chhattisgarh).
5. Chief Medical And Health Officer, Jagdalpur, District Bastar (Chhattisgarh).
6. Gaytri Kamdi Ophthalmic Assistant, Primary Health Centre, Jaibel, Block Bakawand, Dist. Bastar (Chhattisgarh)

---- **Respondents**

For Petitioner	:	Mr. Rakesh Kumar Jha along with Mr. Jai Prakash Shukla, Advocates
For State	:	Mr. B. Gopa Kumar, Dy. A.G.

Hon'ble Shri Justice Manindra Mohan Shrivastava**Order On Board****16/01/2017**

Heard on admission.

1. This petition has been filed by the petitioner aggrieved by order dated 08.09.2016 by which his representation against transfer has been

rejected.

2. Learned counsel for the petitioner, during the course of arguments, submits that after the withdrawal of the earlier petition, the petitioner came into possession of new material which shows that the transfer order was vitiated by malafide.

3. The ground of malafide cannot be raised in a second round of litigation when earlier petition was dismissed as withdrawn. Therefore, leaving the petitioner with liberty to take appropriate proceedings as may be permissible under the law, I am not inclined to interfere with the order passed in the present petition.

4. With the aforesaid liberty, the petition is dismissed.

Sd/-

(Manindra Mohan Shrivastava)
Judge