

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 1043 of 2017

Dr. S. N. Dadsena S/o Late Shri Narayan Prasad Dadsena, Aged About 57 Years R/o Ward No. 9 Pithora, Mahasamund, District Mahasamund (Chhattisgarh).

---- Petitioner

Versus

1. State Of Chhattisgarh Through : Secretary, Health And Family Welfare Department, Mahanadi Bhawan, Mantralaya, Capital Complex New Raipur, District Raipur (Chhattisgarh).
2. Commissioner, Health Services, Indrawati Bhawan, New Raipur, District Raipur, Chhattisgarh.
3. Director, Health Services, Indrawati Bhawan, Block 1, Third Floor, New Raipur, District Raipur Chhattisgarh.
4. Mission Director, National Health Mission, New Raipur, Chhattisgarh.
5. Chief Medical And Health Officer, Mahasamund, District Mahasamund (Chhattisgarh).
6. Block Medical Officer, Community Health Centre Pithora, Mahasamund District Mahasamund (Chhattisgarh).

---- Respondents

Shri Manoj Paranjpe, counsel for the petitioner/s.
Shri R.K.Gupta, Dy.A.G. for the State.

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

02/03/2017

The petitioner has filed this petition challenging order dated 30/07/2016 by which he has been transferred.

2. Learned counsel for the petitioner submits that transfer of the petitioner is contrary to the recommendations and had the effect of adversely affecting functioning of First Referral Unit under the Government of India scheme. He submits that the petitioner was not relieved. He continued to work and now a recommendation for cancellation of transfer order has been made by the Director,

Health Services, C.G. and Chief Medical Health Officer, Mahasamund but the State Government has not taken any final decision.

3. Learned State counsel opposes and submits that the petitioner has chosen to challenge the transfer order after a long time. He also disputes the factual position and submits that the petitioner is relieved.

4. Be that as it may, if the petitioner has chosen to challenge transfer order after a long time, I am not inclined to interfere with the same. However, there are certain recommendations made by the Chief Medical Health Officer. It will be open for the State to take decision on those recommendations, subject to administrative exigency and public interest. It is expected that the decision shall be taken within a period of four weeks from the date of receipt of copy of this order which is now being passed.

5. With the aforesaid observations, this petition is finally disposed off.

Sd/-
(Manindra Mohan Shrivastava)
Judge