

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 1873 of 2017

- Ramesh Kumar Nag S/o Shri Lachindar Nag, Aged About 32 Years, O. T. Attendant At Proposed Transferred Place Office Of Chief Medical And Health Officer, Jagdalpur, Dist. Bastar (Chhattisgarh)

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary, Health And Family Welfare Department, Mantralaya, P.S. Rakhi, Tahsil Aarang, Naya Raipur, District Raipur (Chhattisgarh)
2. Director, Directorate Health Services, Indrawati Bhawan, New Raipur, District Raipur (Chhattisgarh).
3. Collector, Bastar, District Jagdalpur, Chhattisgarh.
4. Chief Medical And Health Officer, Bastar, District Jagdalpur, Chhattisgarh.

---- Respondents

For Petitioner	Shri Rakesh Jha, Advocate
For Respondent-State	Shri Satish Gupta, GA

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

20/04/2017

1. By order dated 30.07.2016, the petitioner, who is working as O. T. Attender, has been transferred from Community Health Centre, Keshkal, District Kondagaon to Community Health Centre, Nangoor, District Bastar. There being no vacant

post at Nangoor, petitioner's transfer was proposed to be cancelled, against which petitioner preferred WPS No.409/2017, which was disposed of on 27.02.2017 with observation that since there is no vacant post to adjust the petitioner at the place where he is proposed to be transferred, obviously the petitioner will have to be transferred at some other place or the transfer order will have to be cancelled to continue him at the present place.

2. Shri Rakesh Jha, learned counsel for the petitioner, would submit that the petitioner has already been relieved from Keshkal and has submitted his joining at Nangoor on 20.09.2016 and is presently facing difficulty in getting salary, which is managed to be withdrawn from some other centre. He would refer to the communication dated 07.03.2017 of the office of Chief Medical and Health Officer, Bastar mentioning that post of O. T. Attender is lying vacant at the Maharani Hospital, Jagdalpur and the Joint Director-cum-Hospital Superintendent of Maharani Hospital has consented and recommended to obtain the petitioner's services in the said hospital. Similar letter has been issued by the Director, Health Raipur on 06.03.2017.
3. Considering the contents of the communication issued from the office of Chief Medical and Health Officer, Bastar, District Jagdalpur and the previous order of this Court in WPS No.409/2017, the writ petition is disposed of with

direction that if the post of O. T. Attender is lying vacant at the Maharani Hospital, Jagdalpur, the State Government shall pass necessary orders on the letter of recommendation sent by the Joint Director-cum-Hospital Superintendent, Maharani Hospital, Jagdalpur on 01.03.2017 and Director, Health Raipur's letter dated 06.03.2017. Let the necessary orders be passed within a period of 2 months from the date of submission of certified copy of this order.

Sd/-

JUDGE

PRASHANT KUMAR MISHRA

Nirala