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**HIGH COURT OF CHHATTISGARH, BILASPUR****Writ Appeal No. 298 of 2017**

*(Arising out of order dated 12.4.2017 in Writ Petition (S) No.1312 of 2017 of the learned Single Judge)*

Dr. Govind Singh S/o Late Ramcharan Singh, Aged About 57 Years Working As Medical Officer At Community Health Center Wadrafnagar, P.S. Basantpur, Tahsil- Wadrafnagar-District- Balrampur- Ramanujganj, Chhattisgarh

**---- Appellant****Versus**

1. State Of Chhattisgarh Through: Secretary, Department Of Health And Family Welfare Mahanadi Bhawan, Mantralaya, Capital Complex, Naya Raipur, District Raipur, Chhattisgarh
2. The Collector, Balrampur-Ramanujganj, District, Chhattisgarh
3. The Chief Medical And Health Officer, District Balrampur-Ramanujganj Chhattisgarh
4. Dr. Deep Kumar , Presently Working As Block Medical Officer At Community Health Center Wadrafnagar, P.S. Basantpur, Tahsil Wadrafnagar, District Balrampur-Ramanujganj Chhattisgarh.

**---- Respondents**

For Appellant : Shri Vikash Pandey, Advocate.  
For Respondent/State : Shri UNS Deo, Government Advocate.

**Hon'ble Shri Thottathil B. Radhakrishnan, Chief Justice**  
**Hon'ble Shri Sharad Kumar Gupta, Judge.**

**Order on Board****Per Thottathil B. Radhakrishnan, Chief Justice****21/08/2017**

1. The Appellant challenges the refusal of the learned Single Judge to interfere with the 4<sup>th</sup> Respondent being posted as the Block Medical Officer at Community Health Center, Wadrafnagar, District Ramanujganj-Balrampur.
2. We have heard the learned counsel for the Appellant and the learned counsel for the State.
3. While the learned counsel for the Appellant argued that the Appellant is senior to the 4th Respondent, the fact of the matter remains that the competent authority had considered the administrative requirement and the primary interest of the establishment. We do not want to reiterate the criticism available, even on facts,

as against the Appellant which are reflected in paragraph-4 of the impugned order. There is no indefeasible rule that seniority should alone be the criteria to identify the appropriate person to man the critical post of Block Medical Officer. We are satisfied that the competent authority, namely, the Collector, Ramanujganj-Balrampur had adverted to considered all the relevant facts and factors from the angle of administration and public need. We do not find any ground to interfere with the impugned order, which all deals with all the relevant facts and legal aspects. The writ appeal therefore fails.

4. In the result, this writ appeal is dismissed in *limine*.

Sd/-

(Thottathil B. Radhakrishnan)  
**CHIEF JUSTICE**

Sd/-

(Sharad Kumar Gupta)  
**JUDGE**