

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 6047 of 2017**

- Smt. Taramandal W/o Dulal Kantidas Aged About 53 Years As L.H.V. Supervisor (Female), Sector Marda Primary Health Centre Lavan, District Baloda Bazaar Bhatapara Chhattisgarh.

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary Health And Family Welfare Department Mahanadi Bhawan Mantralaya New Raipur Chhattisgarh.
2. Chief Medical And Health Officer, District Baloda Bazaar Bhatapara Chhattisgarh.
3. Block Medical Officer, Lavan Primary Health Centre, District Baloda Bazaar Bhatapara Chhattisgarh.

---- Respondent

For Petitioner
For Respondents

Shri Prateek Sharma, Advocate.
Shri Adhiraj Surana, Dy. G.A.

Hon'ble Shri Justice Prashant Kumar Mishra**Order On Board****15/11/2017**

1. Challenge in this petition is to the order dated 12.08.2017 by which she has been transferred from Sector Marda, Primary Health Centre Lavan to the Office of Chief Medical and Health Officer, District Gariyaband on the ground of administrative exigency.
2. The ground raised by the petitioner is that in clause 4 of the impugned order dated 12.08.2017 itself it has been specifically

mentioned that the seniority of the Government Servants will be affected who have been transferred to other division or other district under administrative exigency. The impugned order has been passed only to accommodate the persons of their own choice.

3. Considering the facts situation of the case, it would be appropriate to allow the petitioner to prefer a representation before the concerned competent authority raising his grievance against the impugned transfer order.
4. Let the petitioner prefer representation within a period of 04 weeks from today and thereafter, the concerned competent authority shall consider and decide the same within the next 8 weeks, in accordance with law and on its own merits.
5. For a period of 12 weeks or till the representation is decided, whichever is earlier, the *status quo*, as it exists today, in respect of the petitioner's posting, shall be maintained.
6. The writ petition is accordingly disposed of.
7. It is made clear that this Court has not expressed any opinion on the merits of the case and the respondent authorities shall decide the matter, on its own merits, strictly in accordance with law, without treating any observation made in this order, as opinion on the merits of the case.

Sd/-

Judge

Prashant Kumar Mishra

Akhilesh