

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 3127 of 2017

Saraswati Thakur W/o Rakesh Thakur, Aged About 47 Years R/o Village And Post Kurud, P.S. Jamul, Tehsil & District Durg, Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary, Department Of Health Officer, District Durg, Chhattisgarh.
2. Chief Medical And Health Officer, District Durg, Chhattisgarh.
3. Block Medical Officer, Community Health Centre, Patan, District Durg, Chhattisgarh.
4. Smt. Padmavati Swami, A N M Posted At Primary Health Centre, Bhilai - 3, District Durg, Chhattisgarh.

---- Respondents

Shri Saurabh Dangi and Shri Yogendra Pandey, counsel for the petitioner/s.
Shri Manish Nigam, Panel Lawyer for the State.

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

18/07/2017

Heard.

This petition has been filed by the petitioner aggrieved by the transfer order dated 05.07.2017 on the ground that the petitioner is being transferred time and again from one place to other place.

2. It is submitted that the petitioner was earlier posted in Primary Health Center, Bhilai-3 vide order dated 10.05.2016. The other ANM, Smt P. Swami, who was transferred to Bhansuli (Sub-Center) of CHC, Patan did not comply with the order. The petitioner has hardly worked for one year and now, by impugned order, the petitioner has again been sent back and is being now posted at Bhansuli (Sub-Center). According to the learned counsel for the petitioner, this has been done to extend undue benefit to respondent No.4.

Therefore, the order is mala fide.

3. It appears that for the last one year, posting and transfer of petitioner and respondent No.4 are being made by the Administrative Head keeping in view the administrative exigency in various Primary Health Centres, Community Health Centres and other Health Centers. The place where the petitioner is now being posted is hardly 45 kms away. It is not a case where the petitioner has been sent to another place of posting within a few months. Moreover, the impugned order shows that the petitioner has to continue till 31.12.2017 which clearly shows that there are administrative exigency and looking to the requirements in various health centers, postings are being made. Therefore, I am not inclined to interfere with the order. The petition is dismissed. It will however be open for the petitioner to prefer a representation.

Sd/-

(Manindra Mohan Shrivastava)
Judge