

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 6965 of 2017

- Dr. Seema Thakur W/o Shri Sanjeet Aged About 39 Years, In-Charge Medical Officer, Community Health Center, Mohla R/o Village And Post Mohla, P. S., Tahsil and District Rajnandgaon, Chhattisgarh.

---- Petitioner

Versus

1. The State Of Chhattisgarh Through: Department Of Health And Family Welfare, Mahanadi Bhawan, Mantralaya, Naya Raipur, Police Station Rakhi, Tahsil & District Raipur, Chhattisgarh.
2. The Secretary, Department Of Health And Family Welfare, Mahanadi Bhawan, Mantralaya, Naya Raipur, P. S. Rakhi, Tahsil & District- Raipur, Chhattisgarh.
3. The Chief Executive Officer, Chhattisgarh Rural Road Development Tribunal, Raipur, Police Station Civil Lines, Tahsil & District Raipur, Chhattisgarh.
4. The Director, Health Services, Chhattisgarh, Raipur, Chhattisgarh.
5. The Chief Medical And Health Officer, Rajnandgaon, District Rajnandgaon Chhattisgarh.
6. The Collector, Rajnandgaon, Police Station Civil Lines, District- Rajnandgaon, Chhattisgarh.

---- Respondents

For Petitioner

Shri S. C. Verma, Advocate

For Respondent-State

Shri R. K. Mishra. Dy. AG

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

11/12/2017

1. Challenge in this petition is to the order dated 25.10.2017, by which the petitioner has been transferred from Rajnandgaon to Bastar on the ground of administrative exigency.

2. The ground raised by the petitioner is that the impugned order has been passed without any administrative exigency and as such the same is in violation of the transfer policy issued by the State Government.
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 4 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