

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No. 3746 of 2016**

- Smt. Shanta Chakarwari W/o Shri V. N. Chakarwari, Aged About 43 Years Posted As Women Health Worker Of Primary Health Centre, Shurdung (Wrongly Mentioned In Impugned Order As Jarway), District Durg (Chhattisgarh)

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Department Of Health, Mahanadi Bhavan, Mantralaya, New Raipur (Chhattisgarh)
2. Collector, Durg, District Durg Chhattisgarh.
3. Chief Medical & Health Officer Durg, District Durg Chhattisgarh.

---- Respondents

For Petitioner:

Mr. B.P. Singh Advocate

For State :

Mr. B. Gopa Kumar, Dy. Advocate General

Hon'ble Shri Justice P. Sam Koshy**Order on Board****23.03.2017**

1. The challenge in the present Writ Petition is the order dated 30.07.2016, where the name of the Petitioner is reflected at serial No. 20, has been transferred from Primary Health Centre Jarway Community Health Centre, Dhamdha, District Durg to Sub Health Centre Bhansuli R. Community Health Centre, Patan, District Durg (C.G.)
2. The present Writ Petition was filed on 08.08.2016 and this Court vide its order dated 12.08.2016 had granted interim protection in favour of the Petitioner permitting her to continue at the present place of posting.
3. Learned Counsel for the Petitioner submits that the Petitioner in

fact is not working at Jarway but working at Primary Health Centre Shurdung. Therefore the impugned order showing the place of posting is incorrect. It was also contended by the Petitioner that she would find it difficult to handover charge at present place of posting at Shurdung where she is presently posted.

4. The State has filed its reply and in the reply they have stated that the order of transfer has been passed in accordance with the transfer policy. So far as the present place of posting is concerned the reply of the State Government is silent on it.
5. Be that as it may since the Petitioner is continuing at the present place of posting, the impugned order has been passed on 30.07.2016 and also the Petitioner has been granted benefit of interim protection by this Court, this Court is of the opinion that ends of justice would meet if the present Writ Petition is disposed off with a direction that the present transfer order shall not be acted upon so far as the Petitioner is concerned.
6. The State shall however be at liberty to pass a fresh order of transfer reflecting the correct place of posting of the present Petitioner if any administrative exigency so arises.
7. With the aforesaid direction the present Writ Petition stands disposed off.

Sd/-

(P. Sam Koshy)
JUDGE