

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 4065 of 2017

Ashwani Kumar Sahu S/o Amar Sai Sahu, Aged About 35 Years R/o Village Choriya, Tahsil And District Janjgir Champa Chhattisgarh. (Surname Is Worngly Typed In Transfer Order As Dewangan In Plase Of Sahu)

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary, Department Health, Mahanadi Bhawan, Naya Raipur, District. Raipur Chhattisgarh.
2. Chief Medical And Health Officer, Janjgir Champa District Janjgir Champa, Chhattisgarh.
3. Block Medical Officer Baloda, Janjgir Champa District Janjgir Champa, Chhattisgarh.

---- Respondents

For Petitioner	:	Shri H.V. Sharma, Advocate
For State	:	Shri S.P. Kale, Dy.A.G.

S.B. Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

28/08/2017

Heard.

1. The transfer order is under challenge mainly on the grounds that:
 - (a) the petitioner is a disabled person suffering from 45% disability of lower limb.
 - (b) the petitioner is suffering from Sickle Cell disease which requires proper treatment and medical facility.
2. Looking to the nature of disease and the disability which the petitioner is suffering from, the petitioner's case would require consideration whether he

should be posted to any other area, either within his home district or in adjacent districts. Representation has already been preferred before the authority.

3. The petitioner shall submit a copy of this order along with copy of the representation before the competent authority within 10 days. Upon receipt of such representation, the same shall be decided by the authority in the light of observation made within a period of four weeks.
4. For a period of six weeks, the petitioner shall not be compelled to proceed on transfer.
5. The petition is accordingly finally disposed off.

Sd/-
(Manindra Mohan Shrivastava)
Judge