

HIGH COURT OF CHHATTISGARH AT BILASPURWPS No. 1262 of 2018

Dr. (Smt) Sanjivani Awasthi W/o Shri S.K.Awashti, aged about 58 years, working as Homeopathy Medical Officer, Government Homeopathy Hospital, Tikrapara, Raipur, District Raipur (C.G.).

---Petitioner

Versus

1. State of Chhattisgarh, through-the Secretary, Department of Health and Family Welfare, Mahanadi Bhawan, Mantralaya, Naya Raipur, District Raipur (C.G.).
2. The Director, Department of Ayush Old Nursing Hostel, near Ghadi Chowk, Raipur, District Raipur (C.G.).
3. Dr. Tankeshwari Samund, Homeopathy Medical Officer, Community Health Centre Lohdiguda, District Bastar (C.G.).
4. Dr. Sandeep Kumar Ram, Homeopathy Medical Officer, Community Health Centre Janakpur, District Koriya (C.G.).

---Respondents

For petitioner	:	Shri Praveen Das, Advocate.
For respondents No.1 & 2/ State	:	Shri Chandresh Shrivastava, Panel Lawyer.
For respondent No.3	:	Shri Goutam Khetrapal, Advocate.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

08/02/2018

1. Present petition has been filed assailing the award dated 19/12/2017 whereby the services of the petitioner has been transferred from Government Homeopathy Hospital, Tikrapara, Raipur to Health Centre Lohdiguda, District Bastar (C.G.).
2. This Court is not inclined to entertain the petition only on the ground that, the petitioner has already remained at the present place of posting from last more than seven years.

3. The counsel for the petitioner at this juncture submits that, the petitioner is suffering from various ailments and for which she has been getting her treatment from the All India Institute of Medical Sciences, Raipur (In short "AIIMS). He further submits that, she would be required to get her medical treatment done from AIIMS, Raipur on regular basis and which all the more requires her presence in and around at Raipur. He further submits that, there are other places available nearby where the State Government could consider accommodating the petitioner.

4. The State counsel however opposing the appeal submits that, so far as the transfer and posting is concerned, it is the prerogative of the State Government to transfer and post a particular officer. If at all if, there are certain inconvenience caused to the concerned employee, the only remedy available to the said employee is by approaching the employer by making suitable representation.

5. The counsel for the petitioner though submits that, he has made representation to the respondent No.2, he is further granted an opportunity to make a fresh representation to the respondent No. 1 & 2 and on such representation being made, it is expected that the authorities would consider the case of the petitioner sympathetically.

6. With the aforesaid observation, the Writ Petition stands disposed off.

Sd/-
(P. Sam Koshy)
JUDGE