

HIGH COURT OF CHHATTISGARH, BILASPURWrit Petition (S) No.342 of 2016

Dr. S.K. Joel, S/o Shri M. Joel, aged about 57 years, R/o C-120, Rani Durgawati Ward, Near Church, Amlideeh Road, New Purena, Raipur, P.S. Raipur, District Raipur (C.G.)

---- Petitioner

Versus

1. State of Chhattisgarh, Through the Secretary, Health and Family Welfare Department, Mahanadi Bhawan, New Raipur, P.S. Rakhi, District Raipur (C.G.)
2. The Director, Ayurved Yog and Prakritik Chikitsa, Unani, Siddha and Homeopathy (AYUSH), Raipur, District Raipur (C.G.)
3. Dr. Arvind Kumar Maravi, Incharge, District Ayurved Officer, Mahasamund, District Mahasamund (C.G.)

---- Respondents

For Petitioner: Mr. Goutam Khetrapal and Mr. Avinash Chand Sahu, Advocates.

For Respondents No.1 and 2: -
Mr. Ratan Pusty, Panel Lawyer.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

04/01/2018

1. The petitioner challenges the order Annexure P-1 by which the representation to give current charge of District Ayurved Officer, Mahasamund has been rejected.
2. Learned counsel for the petitioner submits that the order impugned is unsustainable and bad in law. The petitioner being senior must be allowed to work as Incharge District Ayurved Officer, Mahasamund.
3. On the other hand, learned State counsel would support the impugned order.
4. I have heard learned counsel for the parties.

5. Respondent No.3 is also working on the post of Ayurved Medical Officer. He has been transferred to Mahasamund as Incharge District Ayurved Officer by order dated 30-6-2014 and on the other hand, the petitioner is posted as Ayurved Medical Officer, Government Ayurved Dispensary, Tila, Tahsil Abhanpur, Block Abhanpur, Distt. Raipur. The petitioner is not posted and working at District Headquarter, Mahasamund whereas the Incharge District Ayurved Officer has to remain in headquarter at Mahsamund. The petitioner not being posted at headquarter cannot claim that he be allowed to work as Incharge District Ayurved Medical Officer, as only the officer posted at District headquarter can supervise the work of the entire District Ayurved hospitals.
6. Therefore, in view of the above, I do not find any merit in the writ petition and the writ petition is accordingly dismissed. No order as to cost(s).

Sd/-
(Sanjay K. Agrawal)
Judge