

HIGH COURT OF CHHATTISGARH, BILASPUR**WRIT PETITION (S) NO.6251 OF 2018**

1. Narayan Prasad Patel S/o Late Shri D P Patel Aged About 43 Years Presently Posted As Dispensary Servant (Ivth Class) At Government Ayush Dispensary Patelpali District Raigarh, Chhattisgarh, R/o Village And Post Tarapur Tahsil Raigarh District Raigarh, Chhattisgarh.

...Petitioner(s)**Versus**

1. State Of Chhattisgarh Through The Secretary Department Of Health And Family Welfare, Mantralaya, Mahanadi Bhawan, Nay Raipur, District Raipur, Chhattisgarh.
2. Director D K S Compound Raipur District Raipur, Chhattisgarh.
3. District Ayurdev Officer Raigarh District Raigarh, Chhattisgarh.
4. Mukesh Kumar Nayak Presently Posted As Dispensary Servant (IVth Class) At Government Ayush Dispensary Bamhni District Mahasamund, Chhattisgarh.

... Respondent(s)

For Petitioner	:	Shri Mateen Siddique, Advocate.
For Respondent-State	:	Shri Arvind Dubey, Panel Lawyer.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****24.09.2018**

1. The challenge in this petition is to the order dated 09.08.2018 passed by the respondents transferring the petitioner from Raigarh to Mahasamund and the respondent No.4 has been ordered to be transferred in place of the petitioner.
2. The order dated 09.08.2018 shows the order to have been made on mutual request. The petitioner on an earlier occasion did make a request for mutual transfer, however he immediately moved an application for withdrawing the same, but the department refused to accept the said correspondence that the petitioner has made for withdrawal of mutual transfer and vide the impugned order they have accepted the case of the petitioner for mutual transfer.
3. Given the aforesaid facts and circumstances of the case, let the petitioner make a fresh representation to the respondents within a period of 7 days

from today and the authorities concerned i.e. respondent No.1 shall consider and decide the claim of the petitioner within a further period of three weeks. Till the representation of the petitioner is decided, the authorities concerned shall not give effect to the impugned order dated 09.08.2018, if it has not been been executed till date.

4. Accordingly, the petition stands disposed of.
5. Certified copy today.

Sd/-
(P. Sam Koshy
Judge