

HIGH COURT OF CHHATTISGARH AT BILASPURWPS No. 6839 of 2018

Dr. Umakant Tiwari S/o D. N. Tiwari, Aged About 59 Years, Posted At-
Community Health Centre, Baloda District- Janjgir-Champa,
Chhattisgarh.

---Petitioner

Versus

1. State Of Chhattisgarh, Through Secretary, Department Of Health And Family Welfare, Mahanadi Bhawan, New Raipur, District- Raipur, Chhattisgarh.
2. Director Health Services, Indrawati Bhawan, 3rd Floor, Naya Raipur, District- Raipur, Chhattisgarh.
3. Collector District- Janjgir-Champa, Chhattisgarh.
4. Chief Medical Health Officer, District- Janjgir-Champa, Bilaspur, Chhattisgarh.
5. Dr. Sadanand Jangde S/o Late V Satyanarayan, Posted At- Community Health Center- Baloda, District- Janjgir-Champa, Chhattisgarh.

---Respondents

For petitioner	:	Shri Sourabh Dangi, Advocate.
For State	:	Shri S.P.Kale, Dy.A.G.

Hon'ble Shri Justice P. Sam KoshyOrder on Board12/10/2018

1. The challenge in the present Writ Petition is to the order Annexure-P/1 dated 04/10/2018 whereby the respondent No.4 has handed over the charge of the Block Medical Officer at the Community Health Centre - Baloda to the respondent No.5.
2. The impugned order show that, the said order has been passed on account of certain irregularities which was found during the course of inspection.

3. The counsel for the petitioner on a query being put to him submits that, it is the petitioner who is senior between the petitioner and the respondent No.5 and by implementation of the order it would create a situation where the petitioner would have to work under his junior.
4. In the given facts so also taking note of the circulars of the State Government which says that the charge always be handed over to the senior most officer in the department, this Court does not intend to keep the Writ Petition pending, rather ends of justice would meet if the dispute between the two is placed before the respondent No.2 who in turn shall keeping in view the circulars of the State Government take an appropriate decision to avoid the situation where senior would be held liable to work under the junior.
5. Till a decision is taken by the respondent No.2, let status-quo as it exists today be maintained between the parties.
6. The petition accordingly stands disposed off.

Sd/-

(P. Sam Koshy)
JUDGE

Sumit