

HIGH COURT OF CHHATTISGARH AT BILASPURWPS No. 6938 of 2018

Ku. Reena Masih D/o Late Shri Mangal Masih, Aged About 59 Years, Staff Nurse- Dr. Bhimrao Ambedkar Memorial Hospital, Raipur Chhattisgarh, R/o Shyam Nagar, R/o In Front Of Old Iti, Post Ravigram, Police Station Telibandha, Raipur, District Raipur Chhattisgarh.

---Petitioner

Versus

1. The State Of Chhattisgarh, Through The Secretary, Medical Education Department, Secretariat, Mahanadi Bhawan, Atal Nagar, District Raipur, Chhattisgarh.
2. The Director, Medical Education Raipur, District Raipur, Chhattisgarh.
3. The Joint Director And Superintendent, Office Of The Joint Director And Superintendent, Dr. Bhimrao Ambedkar Memorial Hospital, Raipur Chhattisgarh.
4. Smt. Amrita Haldhar, Staff Nurse, Dr. Bhimrao Ambedkar Memorial Hospital, Raipur Chhattisgarh.

---Respondents

WPS No. 6940 of 2018

Smt. Sujata Kurm W/o Shri Tarun Kumar Kurm, Aged About 46 Years, Staff Nurse, Dr. Bhimrao Ambedkar Memorial Hospital, Raipur, Chhattisgarh, R/o Near Samraat Sweets, Shanti Chowk, Dhobipara, Purani Basti, Raipur, District Raipur Chhattisgarh.

---Petitioner

Versus

1. The State Of Chhattisgarh, Through The Secretary, Medical Education Department, Secretariat, Mahanadi Bhawan, Atal Nagar, District Raipur, Chhattisgarh.
2. The Director, Medical Education Raipur, District Raipur, Chhattisgarh.
3. The Joint Director And Superintendent, Office Of The Joint Director And Superintendent, Dr. Bhimrao Ambedkar Memorial Hospital, Raipur Chhattisgarh.
4. Kumari Jyoti Kandra, Staff Nurse, Late Shri Lakhiram Agrawal Memorial Medical College, Raigarh, Chhattisgarh.

---Respondents

WPS No. 6946 of 2018

Smt. Veenapurti W/o Shri Praphulla Kumar Masih, Aged About 55 Years, Staff Nurse - Dr. Bhimrao Ambedkar Memorial Hospital, Raipur, Chhattisgarh, R/o Saint Paulse School Campus, Bairan Bazar, Police Line, Raipur, District - Raipur, Chhattisgarh.

---Petitioner

Versus

1. The State Of Chhattisgarh, Through The Secretary, Medical Education Department, Secretariat, Mahanadi Bhawan, Atal Nagar, District Raipur, Chhattisgarh.
2. The Director, Medical Education Raipur, District Raipur, Chhattisgarh.
3. The Joint Director And Superintendent, Office Of The Joint Director And Superintendent, Dr. Bhimrao Ambedkar Memorial Hospital, Raipur Chhattisgarh.
4. Smt. D. Aashleshm Assistant Nursing Superintendent, Dr. Bhimrao Ambedkar Memorial Hospital, Raipur, Chhattisgarh.

---Respondents

For petitioners	:	Shri Y.C.Sharma, Advocate.
For State	:	Shri Dheeraj Wankhede, Government Advocate.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

12/10/2018

1. The challenge in all the three Writ Petitions is to the order Annexure-P/1 dated 17/01/2018.
2. The contention of the counsel for the petitioners is that, though the impugned order was passed in the month of January-2018, however immediately the respondent No.3 had issued an order to the respondent No.2 on 19/01/2018 asking that the petitioners should not be transferred at this stage because of the acute shortage of trained nursing staff.

3. Pursuant to the letter of the respondent No.3 dated 19/01/2018, the petitioners till date have not been relieved and rather continued to work at the same place.
4. The petitioners submit that, they have received instructions that the department is now going to issue the relieving order to the petitioners at this juncture.
5. In the given facts, this Court does not intend to keep the Writ Petition pending, rather ends of justice would meet if all the three Writ Petitions is disposed off with a direction to the respondent No.2 to take a decision on the request made by the Joint Director vide Annexure-P/6 dated 19/01/2018. The petitioners are also entitled to make a fresh representation and the respondent No.2 shall take a decision after taking into account the administrative exigency after more than 10 months from the date of transfer.
6. Meanwhile, the respondents shall maintain the status-quo as it exists today so far as petitioners are concerned.
7. All the Writ Petitions accordingly stands disposed off.

Sd/-

(P. Sam Koshy)
JUDGE

Sumit