

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****Writ Petition (S) No. 7413 of 2018**

Dr. I. D. Bhatnagar S/o Late Shri Babulal Bhatnagar, Aged About 64 Years, Presently Posted As Block Medical Officer At Community Health Centre Lakhanpur District- Sarguja, Chhattisgarh, R/o Lakhanpur, District- Sarguja, Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary Health And Family Welfare Department, Mantralaya, Mahanadi Bhawan, Naya Raipur, District- Raipur, Chhattisgarh
2. Under Secretary, Health And Family Welfare Department, Mantralaya, Mahanadi Bhawan, Naya Raipur, District- Raipur, Chhattisgarh
3. Chief Medical And Health Officer Sarguja, District- Sarguja, Chhattisgarh
4. Dr. Satyaprakash Dahriya, In-Charge Officer District Health And Family Welfare Sarguja, District- Sarguja, Chhattisgarh
5. Dr. Shivpal Paikara, In-Charge Chief Medical And Health Officer Koriya, District- Koriya, Chhattisgarh

---- Respondents

For Petitioner	:	Shri Mateen Siddiqui, Advocate
For Respondent/State	:	Ms. Sunita Jain, P.L.

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

13/11/2018

Grievance of the petitioner is that by the impugned order Annexure P-1 dated 03.10.2018 respondent no.4 has been made the Incharge, Divisional Joint Director, Ambikapur Division, Sarguja whereas the petitioner is senior to respondent no.4 in as much as the gradation list has been filed with the writ petition showing that the name of the petitioner appears at serial no.25 whereas the name of respondent no.4 appears at serial no.56. According to the petitioner, it would amount to the petitioner being asked to work under his junior and the junior would be having the responsibility of even writing the ACR of a senior person in the department. Further grievance is that the charge should always be given to a senior person available in the department and not to a person junior or else it would create a situation of hard burning and embarrassment.

2. Given the aforesaid grievance of the petitioner, let the petitioner make a detailed representation in this regard to respondent no.1 within a period of 15 days from today and respondent no.1 in turn shall take into consideration the aforesaid grievance of the petitioner and keep in mind the seniority of the persons posted in the Division and pass an appropriate speaking and reasoned order at the earliest preferably within a period of two months from the date of receipt of copy of this order.

3. With the aforesaid observation, the writ petition stands disposed of.

**Sd/-
(P. Sam Koshy)
JUDGE**