

HIGH COURT OF CHHATTISGARH AT BILASPURWPS No. 7570 of 2018

1. Praveen Ratre S/o Shri Dilip Singh Ratre, Aged About 27 Years, Working As Anm, Posted At Sub Health Centre, Achanakpur, Community Health Centre, Tumgaon, Police Station- Tumgaon, District- Mahasamund, Chhattisgarh.
2. Ram Kishor Awasthi S/o Shri Onkar Nath Awasthi, Aged About 49 Years, Working As Anm, Posted At Sub Health Centre, Sarkanda Community Health Centre, Pithaura, Police Station Pithaura, District Mahasamund, Chhattisgarh.
3. Suresh Patel S/o Shri Reshamlal Patel, Aged About 28 Years, Working As Anm, Posted At Sub Health Centre, Goherapali, Community Health Centre, Saraipali, Police Station Saraipali, District Mahasamund, Chhattisgarh.
4. Rajendra Paikra S/o Devnath Paikra, Aged About 52 Years, Working As Anm, Posted At Sub Health Centre, Bakma, Community Health Centre, Bagbahra, Police Station Bagbahra, District Mahasamund, Chhattisgarh.
5. Mukesh Patel S/o Shri Gopi Chand Patel, Aged About 32 Years, Working As Anm, Posted At Sub Health Centre, Mudhipar, Community Health Centre, Pithaura, Police Station Pithaura, District Mahasamund, Chhattisgarh.

---Petitioners

Versus

1. State Of Chhattisgarh, Through Secretary, Through The Public Health And Family Welfare Department, Mantralaya, Mahanadi Bhawan, Naya Raipur, District- Raipur, Chhattisgarh.
2. Commissioner, Health Services, Chhattisgarh Indrawati Bhawan, Atal Nagar, Raipur, District Raipur Chhattisgarh.
3. Chief Medical And Health Officer, Mahasamund, District Mahasamund, Chhattisgarh.
4. Collector Mahasamund, District Mahasamund, Chhattisgarh.

---Respondents

For petitioners	:	Shri Awadh Tripathi, Advocate.
For State	:	Shri Syed Majid Ali, Dy.G.A.

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

16/11/2018

1. In the instant Writ Petition, the petitioners were initially appointed under the respondents No. 2 & 3 and were posted at Mahasamund on the post of ANM.
2. The petitioners had refrained from discharging their duties during the period 01/08/2018 to 15/09/2018 on the ground that the association of ANM had called in for strike in respect of certain demands which they were seeking from the State Government.
3. Subsequently, the services of the petitioners were terminated vide order dated 15/09/2018.
4. Lateron, the State Government vide order dated 03/10/2018 had directed the respective Collectors to consider the case of similarly placed persons sympathetically and the case of the petitioners also were placed before the Commissioner-Cum-Director, Health Services, Chhattisgarh who in turn vide order dated 06/10/2018 ordered for immediate reinstatement of the services of the petitioners and had also ordered for the payment of salary for the period during which they had refrained from work.
5. Lateron, a further order was passed by the Commissioner, Raipur Division to all the Collectors under the said division to comply with the order and to take back the services of all the ANM's in the respective districts.

6. The grievance of the petitioners is that, such benefits have been extended to all the other similar ANM's working in the other districts except for the district Mahasamund.

7. The counsel for the petitioners submits that, in spite of there being specific instructions and order, the petitioners have been denied joining.

8. Given the grievance raised by the petitioners and also taking note of the orders passed by the State Government as also by the Commissioner, this Court does not intend to keep the Writ Petition pending, rather ends of justice would meet if the Writ Petition is disposed off with a direction to the respondents No. 2 & 3 to take a decision promptly at the earliest preferably within a period of 45 days from the date of receipt of certified copy of this order so far as joining is concerned.

9. While taking a decision, the respondents shall specifically take note of the benefits which have been extended to the similarly placed persons in the other districts.

10. It shall be the responsibility of the petitioners to apprise the respondents No. 2 & 3 so far as the order passed by this Court is concerned.

11. The Writ Petition accordingly stands disposed off.

Sd/-

(P. Sam Koshy)
JUDGE