

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 7993 of 2018**

- Dr. K. L. Uraon S/o Late Shri Rajauram, Aged About 58 Years, Working as Medical Officer and Posted at Community Health Centre, Malkharouda, District - Janjgir-Champa, Chhattisgarh

---- Petitioner**Versus**

1. State of Chhattisgarh Through Secretary, Department of Health and Family Welfare, Mahanadi Bhawan, Atal Nagar, Naya Ripur, District - Raipur Chhattisgarh
2. Chief Medical and Health Officer Janjgir, District - Janjgir-Champa Chhattisgarh
3. Krishna Kumar Sidar Working on the post of Medical Officer at Community Health Centre Malkharouda, District - Janjgir-Champa Chhattisgarh

---- Respondents

For Petitioner	:	Shri Vinod Kumar Sharma, Advocate
For State	:	Shri Chandresh Shrivastava, Panel Lawyer

Hon'ble Shri Justice P. Sam Koshy**Order On Board****05.12.2018**

1. The dispute in the present writ petition is primarily that of the charge of the Block Medical Officer at Malkharouda, District Janjgir-Champa.
2. It is a case where the petitioner was transferred to the present place of posting from CIMS, Bilaspur on 04.09.2018. When the petitioner joined his services, he realized that the persons who is holding the post of the Block Medical Officer is a person who is much junior to the petitioner and also is a person who already stands transferred to the Community Health

Center, Sakti on 12.08.2017 but has not been relieved till date. This is causing embarrassment to the petitioner inasmuch as he is been forced to work under a junior.

3. Given the nature of dispute, this Court is of the opinion that no fruitful purpose will be served in keeping the writ petition pending, rather ends of justice would meet, if the writ petition is disposed of with a direction to respondent No.2 to take decision in respect of the grievance of the petitioner, particularly in respect of holding of charge. The respondents would also take care of the seniority of the petitioner and also shall bore in mind the fact that respondent No.3 already is a person who stands transferred to different place. Yet he is discharging the duties of the Block Medical Officer at present place of posting where the petitioner has been posted. Let this exercise be done by respondent No.2 within a period of 45 days from the date of receipt of the copy of this order.

Sd/-

(P. Sam Koshy)
Judge