

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 4071 of 2017**

Dr. Sunanda Marawi W/o Shri Manoj Kumar Markam, Aged About 47 Years Presently Posted As Astt. Professor, Govt. E.R.R. Science College Seepat Road, Bilaspur, Chhattisgarh, R/o 174, Shivam Vihar, Khamtarai, P.S. Sarkanda, Bilaspur, District Bilaspur, Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, Higher Education Department, Mantralaya Mahanadi Bhawan, New Raipur, District Raipur, Chhattisgarh
2. The Commissioner, Higher Education Department, Indrawati Bhavan, New Raipur, Chhattisgarh
3. The Principal, E. Raghvendra Rao, Science College, Seepat Road, Bilaspur, Chhattisgarh

----Respondents

For Petitioner	:	Mr. Raj Kumar Gupta, Advocate
For State	:	Ms. Sunita Jain, Panel Lawyer

Hon'ble Shri Justice P. Sam Koshy**Order on Board****02/01/2019**

1. The challenge in the present writ petition is to the order Annexure P/1 dated 14.08.2017. Vide the impugned order the services of the petitioner stood transferred from Bilaspur to Jobi.
2. The petitioner had challenged the order of transfer on medical ground as it has been stated that the petitioner is suffering from the cancer disease and is in the second stage. This Court vide order dated 24.08.2017 had stayed the effect and operation of the impugned order and by virtue of the interim protection, the petitioner continues to work at Bilaspur.
3. Considering the health condition of the petitioner and efflux of time, this Court is of the opinion that ends of justice would serve if the writ petition

is disposed of with a direction to the State Government not to act upon the impugned order, so far as the petitioner is concerned, any further. However, the right of the State Government would stand reserved to pass a fresh order, in case administrative exigency, so demands.

4. In any case, while passing any fresh order, the respondents would take into consideration the health condition of the petitioner.
5. With the aforesaid observations, the writ petition stands disposed off.

Sd/-
(P. Sam Koshy)
Judge

Ved