

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 1579 of 2019**

Smt. Nutan Sahu W/o Jitenra Kumar Sahu, Aged About 48 Years, R/o Village Khadgaon, Post And Police Station- Khadgaon, Tahsil-Manpur, District- Rajnandgaon, Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Secretary, Department Of Health And Family Welfare, Mantralay, Mahanadi Bhawan, Atal Nagar Naya Raipur, Chhattisgarh
2. The Chief Medical And Health Officer, Rajnandgaon, District Rajnandgaon, Chhattisgarh

---- Respondents

For Petitioner	:	Mr. L. K. Ramteke, Advocate
For Respondent	:	Mr. Jitendra Pali, Dy. A.G.

Hon'ble Shri Justice P. Sam Koshy**Order On Board****07.03.2019**

1. The grievance of the petitioner in the present writ petition is in respect of the inaction on the part of respondent no.2 in taking a decision in the light of the correspondence made by the Dy. Director (Nursing), Directorate of Health Services, CG dated 15.06.2017.
2. It appears that the dispute was pertaining to a case of long absence on the part of the petitioner. The Dy. Director of the department has meanwhile passed an order dated 15.06.2017 addressing respondent

no.2 that it is respondent no.2 who has to take a decision. The Dy. Director has also given suggestions as to how the intervening period of absence has to be treated. In the said letter the Dy. Director has suggested that since there is earned leave of 180 days in her credit, the period of absence of 180 days should be treated as sanctioned earned leave and the period between 28.12.2016 to 15.01.2017 be treated as leave without pay. Though the Dy. Director has issued the letter on 15.06.2016, till date respondent no.2 has not taken any decision.

3. Given the said fact, this Court is of the opinion that ends of justice would meet if a direction is given to respondent no.2 to ensure that the order dated 15.06.2017 passed by the Dy. Director (Nursing) is complied with at the earliest. The petitioner is also directed to make a fresh representation to respondent no.2 along with the letter of the Dy. Director (Nursing) dated 15.06.2017 and the respondent no.2 in turn shall take a decision within a period of 2 months from the date of receipt of representation of the petitioner.
4. The writ petition accordingly stands allowed and disposed of.

Sd/-
P. Sam Koshy
Judge