

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 4525 of 2019

Dr. Shailesh Kumar Chouhan S/o Shri S. C. Chouhan Aged About
40 Years Ayurved Medical Officer Presently Posted At Govt.
Ayurved Hospital Bhusu, Block-Sitapur, District Surguja Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Department Of Health And Family Welfare, Mantralaya, Mahanadi Bhawan, Raipur Chhattisgarh
2. The Chief Secretary Department Of Health And Family Welfare, Mantralaya, Mahanadi Bhawan, Raipur Chhattisgarh
3. The Under Secretary Department Of Health And Family Welfare, Mantralaya, Mahanadi Bhawan, Raipur Chhattisgarh
4. The Director Ayurved Yog And Prakritik Chikitsa, Unani, Sidhada And Homeopathy (Ayush) Raipur Chhattisgarh
5. The District Ayurved Officer Surguja District Surguja Chhattisgarh

---- Respondents

For Petitioner	:	Mr. Rishi Rahul Soni, Advocate.
For State	:	Mr. Saleem Kazi, Dy. A.G.

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

25/06/2019

1. The limited prayer which the petitioner has made in the present writ petition is to direct the respondent to consider and decide the representation/ application that the petitioner has made seeking for transfer from his present place of posting.
2. According to the petitioner, he has been working on the present place of posting for more than 5 years by now. That the policy of the State Government is that having worked in a schedule area for a period of 5 years, the employee concerned would have the liberty of choosing a choice station for transfer.

3. According to the petitioner, as he has already served for more than 5 years thereafter he has moved an application, however the same was not considered as by the time, a decision could be taken the government had imposed ban of transfer.
4. Given the said submission by the petitioner, this Court is of the opinion that ends of justice would meet if the writ petition is disposed with a direction to the respondent No. 1 & 4 to take an appropriate decision on the application of the petitioner, in accordance with the Circular of the State Government dated 20.10.2005, at the earliest immediately after the ban of transfer is lifted.
5. Accordingly, the writ petitions stands disposed off.

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

Jyotijha