

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

Writ Petition (S) No. 5434 of 2019

Smt. Puniya Bhikundi W/o Kalash Ramdas Bhikundi, Aged About 53 Years, Post- Lady Supervisor, R/o House No. 93/1, Ward No. 1, Mahatma Gandhi Village, Ambagarh Chowki, District- Rajnandgaon, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary, Department Of Health, Mahanadi Bhawan, Naya Raipur, Chhattisgarh
2. Collector, District- Rajnandgaon, Chhattisgarh

---- Respondents

For Petitioner	:	Dr. Shailesh Ahuja, Advocate
For State	:	Mr. Arvind Dubey, P.L.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

29/07/2019

1. It is contended by the learned counsel for the petitioner that the petitioner was transferred by an order dated 12.07.2019 from Community Health Centre, Ambagarh Chowki, District Rajnandgaon to Sector Udaypur, Block Chhuikhadan, District Rajnandgaon. Learned counsel for the petitioner submits that the petitioner is working as a Health Supervisor i.e. a Class-III employee. He submits that the son of the petitioner met with an accident and suffered head injury and therefore, the case of the petitioner may be considered sympathetically considering the medical report of her son. He submits that the petitioner may be given liberty to make a representation to the Committee which

has been constituted by the State wherein the grievance of the transfer is being heard and till the representation of the petitioner is decided, the transfer order may not be made effective. Learned counsel for the petitioner, during the course of argument, placed the order dated 11th July, 2019 issued by the State.

2. Heard learned counsel for the parties and perused the documents filed along with the petition.
3. Considering the medical document of son of petitioner and taking into consideration the fact that one Committee has already been constituted by the State, it is directed that the petitioner may make a representation before the Committee within a week from today and the Committee may decide the case of the petitioner within a further period of 30 days from the date of representation by the petitioner. Till the representation of the petitioner is decided, the transfer order of the petitioner would not be given effect to.
4. It is further made clear that this Court has not made any observation on the merits of the transfer order and the Committee as has been constituted vide order dated 11th July, 2019 shall be free to take a decision with respect to transfer of the petitioner.
5. With the aforesaid observation, the writ petition stands disposed of.

Sd/-
(Goutam Bhaduri)
Judge