

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

Writ Petition (S) No. 5431 of 2019

Mahendra Singh Somwanshi S/o Arjun Singh, Aged About 51 Years,
Post - Gramin Swasth Sanyojak R/o House No. 278 Ward No. 15,
Kaudikasa, 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	:	Ms. Sunita Jain, Govt. Advocate

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 Sub-Health Centre, Bhagvan Tola, Block Ambagarh Chowki, District Rajnandgaon to Sub-health Centre, Bhothli, Block Chhuikhadan, District Rajnandgaon. Learned counsel for the petitioner submits that the petitioner is a heart patient and in this regard, he has filed documents along with the petition. He submits that the petitioner is a Compounder i.e. a Class-III employee. 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 where the document about ailment has also been placed on record.
3. Considering the medical documents and further 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 of 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. The Committee as has been constituted vide order dated 11th July, 2019 shall be free to take a decision with respect to the representation of the petitioner.
5. With the aforesaid observation, the writ petition stands disposed of.

**Sd/-
(Goutam Bhaduri)
Judge**