

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS. No. 6294 OF 2019**

Shri. Ashwini Kumar Sharma S/o - Bhuneshwar Prasad Sharma Aged About 61 Years R/o - Behind Government Hospital, Bagdehi Para, Gobra Navapara, Tehsil Abhanpur District Raipur Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Health And Family Welfare Department, Mahanadi Bhawan, Mantralaya, New Raipur Chhattisgarh
2. Collector Raipur, District Raipur Chhattisgarh
3. The Chief Medical And Health Officer, Raipur, District Raipur Chhattisgarh
4. The Block Medical Officer Community Health Centre, Abhanpur, District Raipur Chhattisgarh
5. The Block Medical Officer Community Health Centre, Arang, District Raipur Chhattisgarh

---Respondent(s)

For Petitioner	:	Mr. J.K. Gupta, Advocate
For State	:	Mr. Chandresh Shrivastava, Dy. A.G.

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

09.09.2019

1. The present writ petition has been filed challenging the order dated 12.07.2019 whereby the service of the petitioner has been transferred from Community Health Centre, Gobra Navapara Abhanppur, Raipur to Community Health Centre, Arang.
2. The contention of the petitioner is that the petitioner has got less than 1 year of service left for his retirement as he is retiring in July 2020 and therefore, at this juncture, it would not be appropriate for transferring the petitioner. Moreover, the second ground is on medical ground. According to the counsel for the petitioner, he has undergone hip replacement, therefore, he, at this age, would find it difficult to move out of present place posting of transfer. Third ground has raised is that he is a Chaukidar i.e. class -IV post holder

and all these grounds may also be considered by the respondents while reconsidering the case of the petitioner.

3. Given the aforesaid facts of the case, let the petitioner make a detailed representation to the respondents within a period of 10 days' from the date of receipt of copy of this order and respondents in turn shall decide/consider the representation within further period of 45 days'.
4. Till the representation is decided, there shall be a stay of effect and operation of the order so far as the petitioner is concerned.
5. The writ petition accordingly stands disposed off.

Sd/-

(P. Sam Koshy)
Judge

Jyotijha