

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 6051 of 2019

Smt. Rajbati Markam W/o Charan Singh Markam Aged About 32 Years Working As Village Health Coordinator At Block Farasgaon, R/o C.T.O. Colony, House No. H-4, Block Farasgaon, R/o C.T.O. Colony, House No. H-4, Block Farasgaon, District- Kondagaon, Chhattisgarh., District : Kondagaon, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary, Department Of Health, Mahanadi Bhavan, Mantralaya, Atal Nagar, Naya Raipur, District- Raipur, Chhattisgarh., District : Raipur, Chhattisgarh
2. Collector Kondagaon, District- Kondagaon, Chhattisgarh., District : Kondagaon, Chhattisgarh
3. Chief Medical And Health Officer Kondagaon, District- Kondagaon, Chhattisgarh., District : Kondagaon, Chhattisgarh
4. Block Medical Officer Farasgaon, District- Kondagaon, Chhattisgarh., District : Kondagaon, Chhattisgarh

---- Respondents

For Petitioner	:	Mr. Manish Upadhyay, Advocate
For State	:	Mr. Jitendra Pali, Dy. AG

Hon'ble Shri Justice P. Sam Koshy

Order on Board

14/08/2019

1. The challenge in the present writ petition is to the order of transfer dated 12.07.2019 passed by the respondents transferring the petitioner from Community Health Centre, Farasgaon Block Farasgaon to Community Health Centre, Makdi Block Makdi.
2. The challenge in the transfer order is on the ground that the impugned order reflects transfer of the petitioner to have been made at the request of the petitioner.
3. According to counsel for the petitioner, the petitioner has never moved any application nor has requested any order of transfer, yet the authorities have shown the order of transfer to have been on its own cost.

4. Given the limited grievance that the petitioner has raised challenging the order of transfer, this Court is of the opinion that subject to verification of the facts that whether the petitioner has made a request for transfer, the impugned order so far as the petitioner is concerned, shall not be given effect to. However, in case on verification if it is found that the petitioner has infact made a request, then the impugned order would not stand interfered and the respondents would be at liberty to relieve the petitioner from the present place of posting. Meanwhile, till the verification is done, the effect and operation of the impugned order, so far as the petitioner is concerned, shall not be given effect to.

5. The present Writ Petition, accordingly stands disposed off.

Sd/-
(P. Sam Koshy)
Judge

Rohit