

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 6398 of 2019

Dr. Smt. Rosa Toppo W/o Dr. Y.K. Toppo Aged About 59 Years Occupation Services, Presently Working As Gynecologist, Community Health Center, Kansabel, District Jashpur Chhattisgarh., District : Jashpur, Chhattisgarh

---- Petitioner

Versus

1. The State Of Chhattisgarh Through The Secretary, Department Of Health And Family Welfare, New Mantralay, Atal Nagar, Raipur Chhattisgarh., District : Raipur, Chhattisgarh
2. The Director Department Of Health And Family Welfare, Indrawati Bhawan, Atal Nagar, Raipur Chhattisgarh., District : Raipur, Chhattisgarh
3. The Chief Medical And Health Officer Jashpur, District Jashpur Chhattisgarh., District : Jashpur, Chhattisgarh

---Respondents

For Petitioner	:	Mr. A.N. Bhakta, Advocate
For State	:	Mr. P. Acharya, Panel Lawyer

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

26/08/2019

1. The challenge in the present writ petition is to the order of transfer dated 30.07.2019 (Annexure P/1), whereby the petitioner has been transferred from Community Health Centre, Tahsil Kansabel, District Jashpur to District Hospital Jashpur.
2. The contention of the petitioner is that the same is in violation of the transfer policy on the ground that the husband of the petitioner also is posted at the present place where the petitioner is working and thereby the petitioner as well as her husband should had been retained at the same place as far as possible. The second ground of the petitioner is that from the office where the petitioner is transferred, the post of Gynecologist would get vacant,

which again would be in violation of the guidelines framed by the State Government in this regard.

3. Given the said facts, let the petitioner make a detailed representation to the respondent No.1 within a period of 10 days from the date of receipt of the copy of this order and the respondent No.1 in turn shall decide the case of the petitioner taking into consideration the transfer policy, particularly the clause whereby protection is being given to the husband and wife working in the State Government.
4. Let a decision be taken by the respondent No.1 within a period of 30 days from the date of receipt of the representation. Meanwhile, the effect and operation of the impugned order Annexure P/1 shall remain stayed so far as the petitioner is concerned.
5. With the aforesaid observations, the present writ petition stands disposed off.

Sd/-
(P. Sam Koshy)
Judge

Ved