

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 6714 of 2019

Smt. Radma Sethiya W/o - Shri Ashok Kumar Sethiya Aged About 45 Years Working As Rural Health Orgnizer (Woman) At Sub- Health Center, Bamhani, Block Jagdalpur And District Batar At Jagdalpur Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretry, Health And Family Welfare Department, Mahanadi Bhawan Naya Raipur Chhattisgarh, District : Raipur, Chhattisgarh
2. The Collector, Jagdalpur, District Bastar At Jagdalpur Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
3. The Chief Medical And Health Officer, Jagdalpur, District Bastar At Jagdalpur Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
4. Block Medical Officer, Community Health Center, Nagpur, District Bastar At Jagdalpur Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh

---- Respondents

For Petitioner	:	Mr. V. K. Sharma, Advocate
For State	:	Mr. Jitendra Pali, Dy. AG

Hon'ble Shri Justice P. Sam Koshy

Order on Board

02/09/2019

1. The present is a second round of litigation. The challenge in the present writ petition is to the order dated 23.07.2019 whereby the petitioner has been shown to have been transferred from Bamhani Block Jaldalpur to Baastanar.
2. The contention of the petitioner is that the petitioner was earlier transferred at the same place vide the order dated 12.07.2019 which was subjected to challenge in the writ petition WPS No. 5360/2019.

The writ petition got disposed of on 23.07.2019 with interim protection and directions to the respondents for taking early decision on the representation. The respondents subsequently have passed another order dated 23.07.2019 whereby the petitioner has been shown to be transferred at the same place on administrative ground.

3. Considering the aforesaid facts, this Court does not find any strong case made out calling for an interference by this Court since the respondents themselves had modified the order and since there is no change of place of posting of the petitioner and order of transfer has been shown to be on administrative exigency. The petitioner would be entitled for all the benefits of being transferred and rules governing the transfer policy.
4. With the aforesaid observation, this Court does not find any strong case calling for an interference by this Court. The writ petition thus fails and is accordingly rejected.

Sd/-
(P. Sam Koshy)
Judge

Rohit