

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 6603 of 2019**

Dr. Anil Kumar S/o Shri Murli Ram Aged About 42 Years Occupation -
Medical Officer, Community Health Center, Marvahi, District Bilaspur
Chhattisgarh. R/o Jabda Para, Bilaspur, District Bilaspur Chhattisgarh.,
District : Bilaspur, Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, Health And Family Welfare
Department Mantralaya, Mahanadi Bhawan, Atal Nagar, Raipur, District
Raipur Chhattisgarh., District : Raipur, Chhattisgarh
2. Additional Secretary Health And Family Welfare Department Mantralaya,
Mahanadi Bhawan, Atal Nagar, Raipur, District Raipur Chhattisgarh.,
District : Raipur, Chhattisgarh
3. Director Health And Family Welfare Department, Indiravati Bhawan,
Raipur, District Raipur Chhattisgarh., District : Raipur, Chhattisgarh
4. Chief Medical Officer Bilaspur, District Bilaspur Chhattisgarh., District :
Bilaspur, Chhattisgarh

---- Respondents

For Petitioner	:	Mr. Awadh Tripathi, Advocate
For State	:	Ms. Sunita Jain, GA

Hon'ble Shri Justice P. Sam Koshy**Order on Board****28/08/2019**

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
Marwahi, District Bilaspur to Koriya.
2. The challenge to the transfer order is on the ground that the impugned
order reflects the 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 for 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 fact 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, on verification if it is found that the petitioner has in fact 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